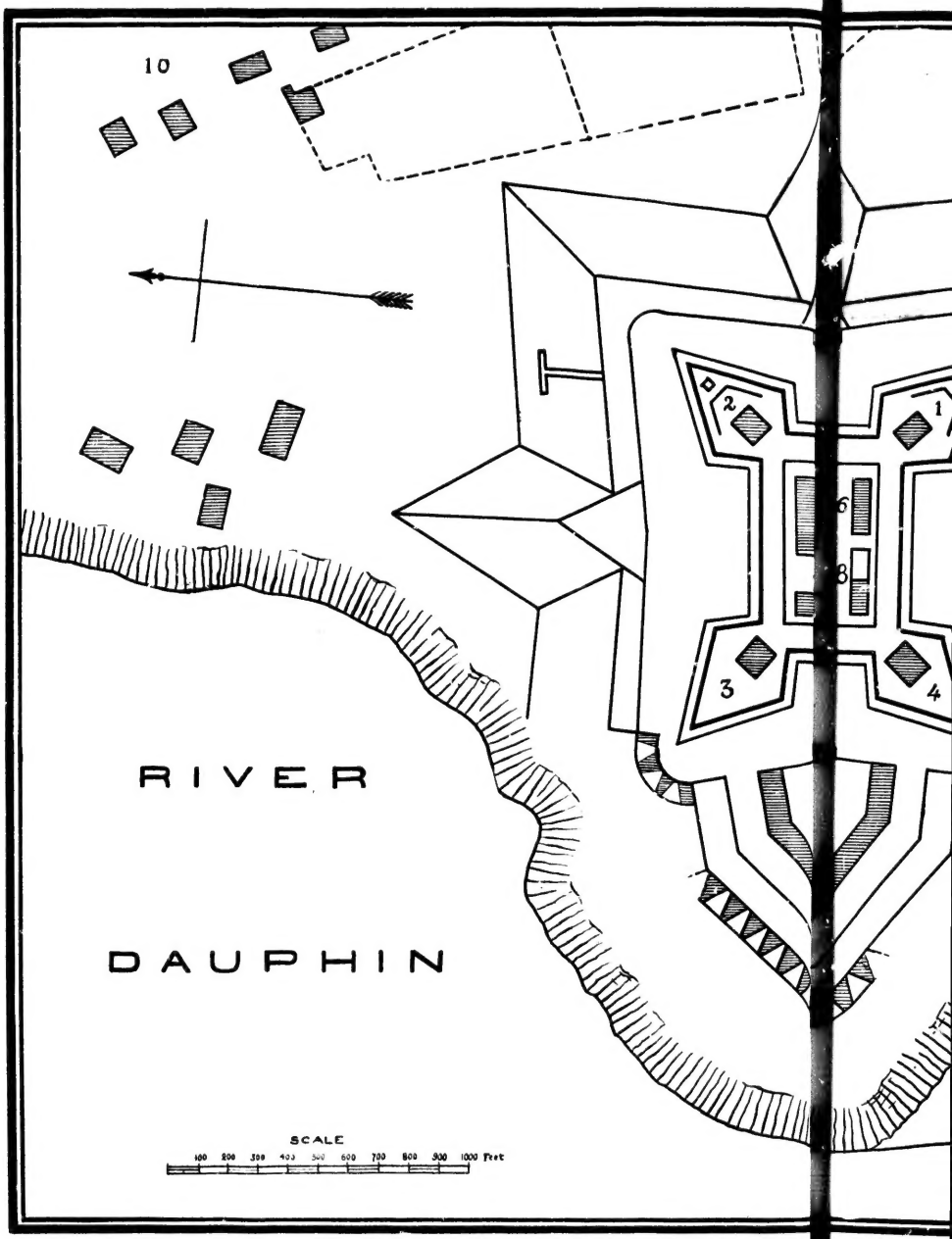

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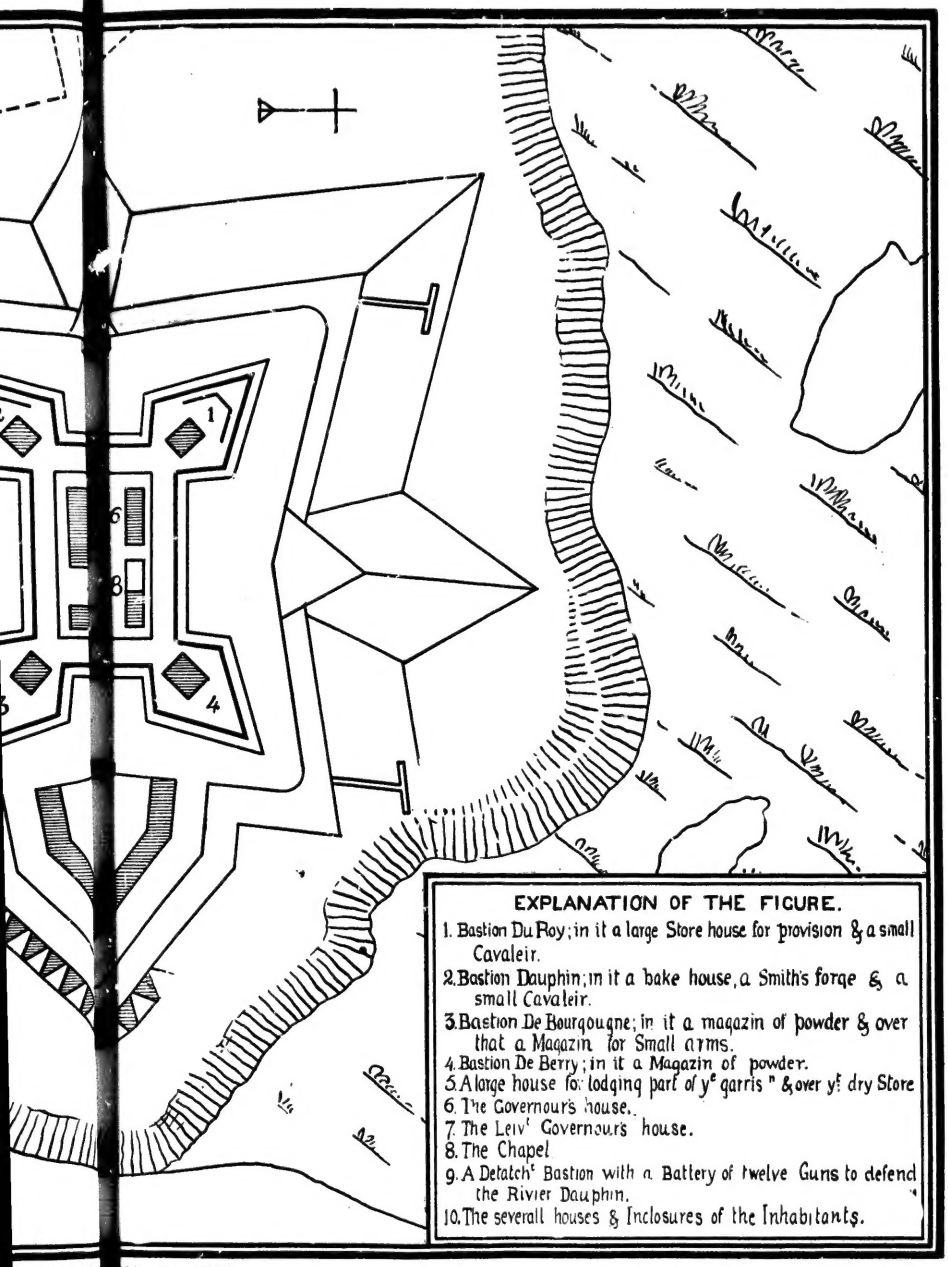

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NOVA SCOTIA ARCHIVES. II.

A CALENDAR OF TWO LETTER-BOOKS AND ONE COMMISSION-BOOK IN THE POSSESSION OF THE GOVERNMENT OF NOVA SCOTIA,

1713-1741.

971

EDITED BY

ARCHIBALD M. MACMECHAN, PH. D.,

George Munro Professor of English Language and Literature at Dalhousie College.

HALIFAX, N. S.,
1900.

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PREFACE.

The manuscript documents relating to the history of Nova Scotia were collected, arranged, bound, indexed and catalogued by the late Thomas Beamish Akins, D. C. L., who was appointed Commissioner of Public Records, in accordance with a resolution passed by the House of Assembly on the thirtieth of April, 1857. According to the catalogue prepared by Dr. Akins in 1886, and now out of print, they number over 535 volumes; and there are besides fifty-nine boxes of unbound papers, arranged and indexed. All these are preserved in the Province Building at Halifax, and form the materials for a complete history of the province.

The collection is twofold in character. It consists of original documents, and transcripts of papers from the Public Record Office in London and elsewhere. A selection from them was published at the expense of the province in 1868 by Dr. Akins. It was a stout volume of over 750 pages, and related to the Acadians, the encroachments of French Canada upon Nova Scotia, the Seven Years' War, the founding of Halifax, and the establishment of representative government in 1758. The preface ends with the words, "There are yet many documents of value and interest among our archives worthy of publication."

With this justification, the Nova Scotia Historical Society made representations to the Legislature, which resulted in my appointment to the task of editing another selection from the archives.

The documents chosen are among the very oldest in the possession of the Government. Like all papers not kept in a fire-proof room, they are in danger of destruction; and MS. 20 was noted as in a "damaged condition from damp" when it was catalogued. In all the writing is often very faint; pages are patched and worn, and crumbled in the mere process of turning them over. It is doubtful if they will soon be read again.

The three documents selected, MSS. 14, 15, 20, relate to the internal administration of the province during Walpole's long peace;

they throw light on the experiment of governing a French population by a handful of Englishmen, and the tenacity with which this corner of the continent was held for the empire.

The plan of the fort at Annapolis Royal was enlarged by Mr. Harry Piers, the present Curator, from a map of the town and district in MS. 7½, an uncatalogued volume, added to the collection since 1886. The index states that it was "copied from the original on file in the Public Record Office—London." In one corner is an "Explanation of the Figure," which runs as follows:—"Plan of Annapolis Royall and fort the principall place of Strenght in Nova Scotia in America, its Situation is upon a tongue of land formed on the North East Side by the River Dauphin, and on the South East by a large Morras in 44 Degrees 25 Minuts North Latitude Surrendered to Her Majesties armes under the Command of the Honourable Collonel Francis Nicholson after Eight dayes Siege in October, 1710." Enquiry at the Record Office as to the age, history, etc. of the map proved fruitless; but it is clearly to be dated about the time of the capture. The "Explanation" has references to the place "Where we landed our Cannon & ammonition" and "The Incampment of the Severall Regiments."

The tracing shows the Vauban system of fortification, and preserves the original contour, before the ravelins were added to the south and east.

The abbreviations "A. A." and "N. S. Archives" in the notes both refer to Akins's volume of selections mentioned above.

The index has been made full in the hope of lightening the labour of other students of history, who may consult this volume.

A. M. M.

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GOVERNOR'S LETTER-BOOK, ANNAPOLIS.

1713-1717.

NOTE. This document is no. 15 of the Akins catalogue, and is entered, p. 6, "1714-1717. Original Letter Book kept at Annapolis between 1713 and 1717, rebound in Russia, small folio." The book consists of 48 leaves, neither numbered nor indexed; and the entries are mainly in two styles of penmanship, first a rapid, straggling, slanting hand, very difficult to read, and afterwards a small, careful, square hand, more clerkly in character. Many of the pages are frayed, and deeply stained; and the writing is often faint.

Caulfeild[1] *to Nicholson.* [*1*

Great advantage to the colony in clearing wood. No har- 1713 (?)
bor within two leagues of the coal mine, and no vessel can be loaded without grounding; no boat can land for the sea. No credit to be given to soldiers within or without the garrison, but they are in debt already. Chief trade is with Indians along the coast. Boston merchants undersell ours. This must be stopped if we are to have any correspondence with them (the Indians), who only come here when driven by necessity. Caulfeild disposes the gain among the inhabita. 's for bread. Newton's account to "Yr. Excellency" shows that C. has made him acquainted with the state of the garrisc Hopes to answer questions in regard to provisions in his Ex

1. The name is spelt "Caulfield" in Akins *(Nova Scotia Archives)* Murdoch, Kingsford, Calnek, and all who have followed their authority; but there seems to be little or no justification for it. It is never unmistakably so spelt in this letter-book, but "Caulfeild," even when it is the name of a vessel [20] and in one case [17] the "i" has been inserted before the "e," after the name was written. The difference, though apparently slight, is really important as a means of identifying this governor. This is the way the family name of the house of Charlemont is spelt; and this circumstance would seem to show that Govr. Caulfeild was a cadet of that house. It is curious to note that a sloop was plying about this coast at that time called the Charlemont. The matter is put beyond doubt by his reference [36] to General Carpenter and "my brothers," and immediately after to "my Unckle." This is evidently Gen. Carpenter (1657-1732) who served with Peterborough in Spain, as did Wm. Caulfeild, the second Viscount Charlemont, and apparently our governor, who refers [28] to having known James, the first Earl Stanhope in Spain. He married Alice, daughter of the first Viscount Charlemont and sister of the second. Lt.-Gov. Caulfeild must therefore have been a son of the second viscount or of one of his brothers.—*See Dict. Nat. Biog.*

Although the beginning, date, name of addressee and place of writing are wanting, it seems pretty plain that it was written to Nicholson from Annapolis.

1713 (?) cellency's letters of Oct. 25th, in another letter. Capt. Douglas has explained to "Yr. Excellency" his reasons for not going to Boston as ordered. Recommended as "haveing allways beheaved himselfe as becometh a Gentellman to doe." Proceedings of Mr. Vane's court-martial enclosed. French sloop with cargo of rum and molasses from West Indies, entered and cleared by Col. Vetch, but driven back by stress of weather, found to be in ballast. Account of this forwarded by Newton. C. has ordered the inhabitants to make road on both sides of the river (Annapolis). They show much willingness.

By Bull. (signed.)

Tho: Caulfild.

Nicholson to Caulfeild. [2

1714. Ap. 6, Boston. Bill of lading enclosed for molasses, pork and beef for garrison at Annapolis; Slocum to sail this week or next. John Borland was to furnish provisions to garrison till end of April. N. supposes he sends some by his sloop, Capt. John Alden, master. N. treating with Borland for 3000 pieces of pork, to be sent with the other provisions Sir Chas. Hobby intends for Annapolis in his sloop (Slocum, master). Care to be taken of the supplies. Capoon to keep an exact account, as Her Majesty "hath been Notoriously cheated in this Artickle of Provtions." Mr. Hutchisson not to furnish provisions at the old rate. Hopes they will not cost above 7½d[1]. N. England currency, whereas they have been charged at 7½d. stg. Officer to be appointed to oversee distribution of food to the gunner and matrosses. Hutchisson not to furnish them with clothing until further orders from the Board of Ordnance. N. has written to the B. of O. and Fran. Lynn "our agent" on the affairs of the garrison; and will do his best for the garrison without any reference to his own interest. The wheat and pease must be secured for the garrison, so that none be permitted to go out of the country. Hibbert Newton is earnestly recommended to C. Governor Dudley's proclamation in regard to trade with the Indians enclosed. Col. Vetch ran away from hence on Monday night. N. has sufficient proof on oath, V.'s

1. Per man.

own papers, etc., that he has acted arbitrarily and illegally, 1714.
assuming powers he had no right to, and cheating the Govt. by appointing officers for which he had no authority. "I find he hath vsed all ways and means to Cheate her Majty and her Subjects in the affairs of the Garrison as far as itt was possible for him to do." N. objects to C.'s bills of credit; no more to be issued; and a strict account to be kept of those already circulated. Sends by Sir Chas. Hobby 5 or £600 N. England currency, which he has borrowed for expenses of garrison. Recommends economy in the repair of the fortifications, and that soldiers be employed for the work. Garrison must be provided with firing. Would be glad to serve Winniett, but cannot allow my office, much less a salary not provided by commission. If Vetch writes for certificates of good conduct, he is to be prevented from obtaining them, in all lawful ways. Alden to be examined on oath as to what papers he brings with him; they are to be opened in the presence of the addressees, and all relating to Vetch or the affairs of the garrison are to be detained, and copies given. If V. insinuates that N. has some design against the garrison, no credit is to be given to "such a Lying fellow." No more sutlers to be allowed in the fort or town; soldiers to have little or no credit; officers not to involve themselves in debt. Will write again by Hobby, Alden is in haste to sail.

(signed.)

ffr. Nicholson.

P. S. If Davis Jackson or any other adherent of Vetch's comes with Alden, he and his papers are to be secured.

(initialed.)

ffr. N——

Caulfeild to Nicholson. [5

Hopes that letters sent by Simpson arrived. Number of Oct. 11. Annapolis.
sutlers reduced from eleven to six; if further reduction is desired, let it be known. Magazines of ordnance cannot be examined until the weather is more favorable. Hutchisson's return of stores on hand, and of those furnished by Borland, enclosed. Garrison in want of food, as shown by Capoon's

1714. return enclosed. Reduced to fresh[1] provisions, poor in quality and extremely difficult to get. Muster rolls which were sent, possibly not very satisfactory; wishes more definite instructions on the subject. He sent another set of Capt. Williams' compy. at latter's request, who wishes others to be returned. Begs time to consider question of prices (which are extravagant) and regulation of trade. Shall take care that no traders are suffered here without license. Vane and Hutchisson's account of garrison expenses enclosed. Vetch best judge of these as he was governor then. Since last despatch, sloop has arrived from Minas with wheat and pease for the garrison.

(signed.)

Tho Caulfeild.[2]

John Nettmaker to Caulfeild. [6

Ap. 20, Boston. General Nicholson having thought it advisable part of the remainder of the stores should be issued, Nettmaker has shipped some on the sloop, "Sea-flower," Simon Slocombe master, taken receipts and hopes packages will correspond with invoice. Sends also two receipts to be kept as vouchers at Annapolis until Nettmaker arrives. His Excellency intends to send by next opportunity a quantity of linen and shoes to complete the issue of clothing. No room for it in this vessel.

(signed.)

Jno. Nettmaker.

Nicholson to Caulfeild.

Ap. 22, Boston. Wrote per Alden on the 6th inst. Encloses (1) bill of lading for 3 hhds. molasses and 44 bbls. pork and beef, bought by Commissioner Belcher, (2) his account for same, (3) two copies of his estimates for the provisions, etc., (4) bill of lading for 13 puncheons pork, bot. of Jno. Borland, (5) his acct. for the same. Provisions must be carefully surveyed both as to quantity and quality by Capoon and Hutchisson, in preference to an officer from each detachment, (6) Sir Chas. Hobby's

1. Word uncertain—may be "fish."
2. Uncertain—may be "Caulfeild" or "Caulfeild."

receipt for £600 "Boston money" with list of numbers, for 1714.
purchase of flour and pease among the French. Must proportion the bread to the meat and keep an exact account of what the Commissary receives and gives out. Issues must be made in the presence of an officer or two appointed by Caulfeild. Remainder of £600 may be spent for the good of the garrison; but an exact account must be kept. Has discussed the bills, the affairs of the garrison, particularly Col. Vetch's, with Sir Chas. Hobby, and given him copies of many papers. Hobby wishes information from Caulfeild about V.'s debts. C. is to assist in all lawful ways. Hopes that the stores have been inspected by Hutchisson and Vane; and also the fort. Copy of Wm. Clear's petition enclosed; if true, he is to be restored to gunner's place, one of the N. England gunners reduced to a matross, and the youngest of them broke. N. has let Clear have 44 sh. "Boston money" and clothing. If reinstated, he is to have clothing from stores. Jno. Nettmaker writes by this conveyance and sends acct. of clothing on Sir Chas. Hobby's sloop. Nicholson will consent to their sending officers to Gt. Britain on the affairs of the garrison. Hopes that C. and the soldiers will be easy until the affairs are settled. H. M. S. Phœnix arrived two days ago. N. hopes to go to Annapolis in her within a month.

(signed.)

ffr. Nicholson.

P. S. Enclosure (7) account of how N. has procured the £600 with his bond for the same.

per Slocomb.

Caulfeild to Vaudreuil. [8

Breach of the treaty of peace and commerce committed by May 7, Annapolis.
Indians under French government upon a British trading vessel at Beaubassin. Enclosed letter from Père Felix, giving the Indians' excuse, i. e., that they did not know that the treaty was concluded between the two crowns, or that they were included in it. The Indians come from Richibucto. Enclosed John Adams' account of the goods taken from him.

1714. Hopes that satisfaction will be given, and promises to prevent similar outrages on his side.[1]

(signed.)

Tho Caulfeid.

Caulfeild to Nettmaker. [8

May 27. Annapolis. Acknowledges receipt of clothing per "Sea-flower," (Slocomb, master); has stored it with rest of stores formerly sent by N. Will issue them to troops as needed or dispose of them to the French inhabitants if possible, but the goods are not suitable, will be of little use in purchasing grain, etc. C. has learned that the same stores are sold at a cheaper rate at Boston (N. E. currency) than their first cost sterling, as per account enclosed. Always has a reasonable advance in order to make good such supplies as are "damnified." Has taken receipts for all such stores as are delivered to captains for their companies, or to "Gentellmen here in Garrison" to be accountable for the same at such price as shall be set by "his Excellency or YrSelfe." "A great many of each Species damnified particularly ye Sargants and Centinells Stockings which are Rotten and vseless," as seen by enclosed acct.

(sigr. d.)

Tho Caulfeild.

Caulfeild to Nicholson. [9

May 27, Annapolis. Acknowledges receipt of letter of Ap. 6, per Capt. John Alden, also N.'s of the 22nd by Sir Chas. Hobby. Has had provisions surveyed; and ordered an officer from each company to be present each serving-day. Has told Hutchisson to take up provisions for the gunners and matrosses as the troops do: and not to furnish them with clothing or advance money on their pay without orders. Encloses Capoon's account of provisions in store. Has given Hibbert Newton all assistance in regard to the seizures here. Has received Govr. Dudley's proclamation regarding the Indian trade. Cannot hear of any furs, etc., being brought to Annapolis this winter. Will use all zeal in promoting this trade, if only definite instructions

1. Below is the note, "Sent by an Indian To Monsr. Marque De Vouttierel Govr. of Canada."

are given. Letter from priest at Minas, and Indian chief en- 1714.
closed, showing their opinions. French complain that they are not allowed to go to Minas with their vessels for corn for their families and fisheries. Has lent several of the poor corn, as they have sown what they had. More land reported sown this year at Minas and here than ever before. The information that Vetch commanded here after Caulfeild arrived is false: the only compliment C. paid him being the parole and a guard: C. took the affairs of the province into his hands at once. Begs N. to advise him of insinuations against his (C.'s) character proceeding from Annapolis. Obliged to issue the bills by the absolute necessity of the garrison; has kept strict account of the numbers, species, etc., of them. Firing for the garrison has been well managed: only 28 cords per week consumed for the six months winter, instead of 60. Each capt. and company have been provided with a boat to get their wood in, the season now permitting it. Has secured all the letters sent by Vetch, but cannot find that he has written for certificates. Nothing shall make him believe anything in regard to N.'s intentions, except N.'s own statements. Has allowed no more sutlers in this town and garrison. Encloses statement of Geo. Vane's behavior towards C. Sends papers by Sir Chas. Hobby. Survey of provisions supplied by Belcher, by captains and Hutchisson for two serving-days enclosed; ordered similar survey of provisions supplied by Borland: no return of latter being made, required Jno. and Wm. Alden to examine and report on them; copy of report enclosed. Capoon ordered to issue them regularly. Has received the £600: his accts. will bear the strictest examination. Hutchisson's survey of the garrison enclosed; but has not been able to obtain survey of stores, although ordered. Wm. Clear is made gunner and has had clothing delivered to him. Has written Nettmaker in regard to the clothing; none issued as yet. Returns N.'s estimates for the garrison with mistakes noted: "as allsoe to informe you how the Garrison hath been victualed one man each Serving day, and to Shew you the price of ye bread by ye best Calculation I Could make of itt." Encloses Alden's representation regarding wheat he bought at

1714. Minas for the garrison, and copy of letter written to Govr. of Canada on behalf of Jno. Adams. Trading at Beaubassin, his vessel was seized by French Indians, while the inhabitants were planting their corn. Priest of Beaubassin informs C. that except for the interference of the inhabitants and local Indians, the vessel would have been burnt and the cargo carried off. Adams's loss computed to be about £70. Has used all arguments to induce the officers to send deputation home to look after the affairs, but find them "not Inclinable."

(signed.)

Tho: Caulfeild.

P. S. Contagious distemper among the French. Garrison will be in a miserable state if it reaches them, "being intierly uprovided with any maner of Medecines."

Per John and Willm. Alden.

Nicholson to Caulfeild. [12

July 3, Boston. Detained in Boston by the Queen's service: but he and Govr. Dudley intend to be at Piscataqua on the 21st, to meet the Eastern Indians; expect to reach Annapolis by end of July or beginning of August. Encloses three bills of lading for molasses and pork. That shipped by Borland included in his last acct.: that shipped per Jno. Alden and Wm. Walters is from Andrew and Jonathan Belcher: their account of foregoing and letter also enclosed. Pork and molasses scarce; prices likely to rise. C. to pursue same method with these as before, and must secure enough wheat to supply the whole garrison until the new wheat is ready. In B. wheat is scarce and dear. Then C. may let Alden and Walters bring what they have: must agree with them as to price at so much per bushel N. England currency at 60 per cent. advance; and may draw bills at 30 days for said sum upon Francis Lynn, agent. Account of wheat, price of it, and statement for what service must accompany bills. Repairs to the fortifications to be considered by council of officers with engineer and storekeeper: best and cheapest bargain must be made for what is absolutely necessary. As to his own affair, C. is to rest easy; justice will be done him. C.'s method of obtaining firing approved.

C. is to assure the inhabitants of Minas that justice will be done them; they may dispose of their wheat as they please when the garrison is first supplied. People of the river may have it brought, or may send for it. Let the Indians know that they will be taken care of, and what we have done with the Eastern Indians. Sir Chas. Hobby has gone to G. B. Hopes C. has sent a full and just account of his affairs home by him. Still hopes that officers will send deputation home to represent their case. Nettmaker writes and sends acct. of clothing. Hopes C. will dispose of some of it to the inhabitants and Indians. Trade with the latter to be regulated in the best interests of the Queen and the garrison. Hopes to have an acct. from C. of the French govt. in Cape Breton. N. expects to hear from Lt.-Col. Moody at Placentia, who took possession about the 11th of May. N. Sends the public news; C. is to make it as public as possible. N. expects daily a ship from London with continuance of good news. C. not to be uneasy about Vetch commanding the garrison after C. had his commission. N. will adjust the affairs with him. Encloses Borland's account and Capoon's. Sent by Capt. Alden, who has called for N'.s letters, so cannot write to him (Capoon?) or Newton, but will do so by Walters, who sails on Monday. 1714.

(signed.)

Fr. Nicholson.

P. S. "You Must have a Watchfull Eye over Captt Alden and his Brother, bouth in respect to Coll. vetchs Mr Borlands and theire own accts.[1]

Nettmaker to Caulfeild. [15

Acknowledges receipt of C.'s letter of May 27; complains of daily increase of warehouse rent in B. In his and Nicholson's opinion, the clothing will be better in storehouses or storeships. Remainder of clothing, especially linen and shoes to be shipped on sloop "Four Friends," (William Walters, master) by Nicholson's direction and consigned to C. in Annapolis. Vouchers, etc., sent and to be kept until Nettmaker's arrival. Ships also two casks of tomahawks, all that are in July 3, Boston.

1. Note states that duplicate of same tenor and date was sent by Capt Wm. Walters; dated July 3, 1714.

1714. store; they may be useful to the garrison, or may be sold to the French or other traders: prices in account, and no more than Her Majesty paid for them.[1]

(signed.)

John Nettmaker.

Nettmaker to Caulfeild. [16

July 5. Boston. Encloses duplicates of bill of lading, invoice and account sent by Alden who sailed on Saturday. This goes with Capt. Walters, who takes the clothing about which N. wrote him very fully per Alden.

(signed.)

Jno. Netmaker.

Caulfeild to Nicholson.

Aug. 2. Annapolis. Acknowledges receipt of N.'s letters of July 3rd per Alden and duplicate per Walters. The provisions agree with the numbers and descriptions. Encloses Capoon's account of provisions: sufficient wheat for next year. Has allowed Alden 600 bushels "in proportion to w^t he brought here": will do the same for Walters. As N. is coming soon, C. will draw no more bills for wheat. After consulting the officers of the garrison, all agreed that the two breaches on the N. E. side were the first that should be repaired: Hutchisson's report on the same enclosed. C. will write to Minas and other places concerning the assurance that justice will be done the inhabitants and Indians. Did not write by Sir Chas. Hobby because C. wished to consult Nicholson. Has received clothing from Nettmaker: will do what he can to dispose of it. Has not heard from Govr. of Canada; has heard that "Monsr La Round" is on his way to Annapolis. Nothing is "regulated" at Cape Breton yet; they have designed (but not built) two forts: there are only about 50 inhabitants, who have suffered for want of provisions and are likely to continue so. A Mr. Ferguson is here with power of attorney from Borland to adjust account: C. will do so. As for Capoon's accounts, Caulfeild never saw them or knew that he intended to send them until Nicholson returned them. The item of cartridge in Capoon's accounts, Caulfeild knows nothing of: has never used it. Did not consult with Vane for these reasons: V. would insist upon a

1. Duplicate of same tenor and date per Wm. Walters.

written order; and is suspended by court-martial; C. signed the sentence of suspension; and V. has been guilty of insolence to C. and others.[1] 1714.

(signed.)

Tho Caulfeild.

Caulfeild to Nettmaker. [*18*

Acknowledges receipt of N.'s letter of July 3 per Alden, duplicate of same date per Walters, and N.'s letter of July 5th. Bales and casks agree with numbers and marks of invoice. Contents not examined, as store-room is out of repair: will be mended as soon as possible. Will retain receipts as desired. Has written to Nicholson regarding the clothing and hopes to arrange for the disposal of them, on Nettmaker's arrival. July 21, Annapolis.

(signed.)

Tho Caulfeild.

NOTE. Apparently several leaves are here missing. At the top of [19] occur some lines which seem to be a part of a postscript of a letter from Caulfeild to Nicholson, to this effect: C. would have sent the ordnance account, but the master gunner reports that it was made up until Vane went away, nothing material has occurred since, is expecting orders from the Board, and he will do it all in one.

Caulfeild to How.[3] [*19*

Encloses account of clothing stores, actual state; with certificate from Capoon "our Comsry of provitions who had Leave from me to go to a fishery of his own ye coast, and had to ye value of 100 lb. delived him to be disposed of." Certificate shows at what price the French buy the same clothing from "ye New England people," who bought them for much less of Gen. Nicholson. H. can judge that the rates to us are excessive. Desires directions therein, the officers and soldiers being informed thereof (this sharp practice?) and think the hardships too great. Dec. 25, Annapolis.

"To Mr. How." (signed.)

T. Caulfeild.

1. On [18] are the entries: "A Return of provitions Inclosed. Mr. Hutchison oppinion of ye fortifications Inclosed."
2. Below this letter is the note "October ye 13th 1714 Wrote to Sr Hovindon Walker by Mr Jefferson. Ditto to Genll Hill att ye Same time."
3. One of the few letters, with plain statement of addressee, at end.

Caulfeild to Dudley.

1714. Dec. 25, Annapolis. By Nicholson's directions C. transmits enclosure, which is to be forwarded to the address upon it.

"Gover. Dudley." (unsigned.)

Capoon's Instructions for Proclaiming George I King. [2

Date blank, Annapolis. Instructions include Ensign Tho: Button. Preamble rehearses that letters from the Privy Council, Board of Trade Earl of Bolingbroke, Secty. of State, and Gen. Nicholson have been received, directing that George I be proclaimed "in all the proper parts of this Gov^mntt." C. directed to proceed with the sloop "Caulfeild" on this service and proclaim George I King "at the Ports of mines Shekenecto River St Johns pasmacody penobscot in ye Collony" in the "best maner you Can" and also the continuing of officers in their posts, and to tender the oaths to the French inhabitants and such English as may be found, and administer them in the forms prescribed. C. is to inform himself how the inhabitants of each place stand affected to G. B., also as to the nature of their trade "and the Reasons why they doe not as vsuall come Into these parts and vend theire Commodities." C. also to buy pork and what other provisions he can come at "(Except Corn)." To proceed with speed and return "immediatly when the Service is finished."

(unsigned.)

Caulfeild to Stanhope Sec. of State. [2

1715. May 3, Annapolis. Hopes that letter of Dec. 24 last, containing account of proclaiming Geo. I King has arrived. Encloses Capoon and Button's account of their transactions at the various ports, except some places to the eastward, which have already declared for the French King. Inhabitants being mostly French, refuse the oaths and to quit the country. C. wishes instructions how to act. Methods of supplying must be changed, if this garrison is to live through the coming winter. The French who used to maintain the garrison with corn are most of them quitting the country, especially at Minas, the chief corn plantation: C

1. Printed, A. A. 7.

is besides destitute of any further credit at Boston in N. Eng- 1715.
land, through Gen. Nicholson. Has always employed his own credit as far as possible in the service of the garrison. Has complied with N.'s orders. Encloses Commissary's return of quantity and sort of provisions, and estimate of how long they will last. Obliged to send a vessel to N. England, to beg provisions. Hopes S. will not take his representations amiss.

(initialed.)

T: C:

Caulfeild to Board of Trade. [22

Refers to previous despatch of Dec. 24, 1714, giving account May 3.
of proclaiming George I king "with all the Ceremony and Solemnity that This pleace Could afford."[1] Now transmits account of Button and Capoon's transactions at the various ports, which shows that most of the inhabitants are French and intend quitting the province to remove to Cape Breton under French protection. Begs for instructions. Many inconveniences from want of pay and provisions. Commissary's return of provisions in store and estimate how long they will last, enclosed. Obliged to send a sloop to the government of N.E. to represent their necessity.

(initialed.)

T. C:

(1) The following extract (MS. 6, No. 13) explains the "solemnity."

Annapolis Royal in the
Province of Nova Scotia North
America December ye: 2d: 1714.

This morning the Troops were drawn out upon the parade, under Arms, and the Hon:ble Majr. Thomas Caulfield *(sic)* Lieut. Govr. with the Captns and other Officers at their head, the flagg being hoisted half Mast High, the Bell Toll'd and the Cannon round the Garrison Fired Sharp Shott at a Minutes distance to solemnize the Death of our late Gracious Maj:ty Queen Anne of blessed memory.

In the Afternoon the flagg was hoisted entire and the Troop again drawn out as before. The ffrench Inhabitants being Assembled, his Majties Proclamation was read declareing the high and Mighty Prince George Elector of Brunswick Lunenburgh to be our lawfull and Rightful Liege Lord George by the Grace of God King of Great Britain ffrance and Ireland Defendor of the ffaith &c. And the Canon fired three rounds and was answered by the smal Arms of our soldiers; after wch a Party was detached with an Officer, and the fort majr. who did ye same at the Lower Town and Cape.

The Gentlemen went to the Hon:ble the Lieutt: Gov:rs and there drank His Majties health: the Night was concluded with the discharge of thirty nine Coehorns and the Mortars three times, A great Bonefire was made, Candles in the windows and all Illuminations possible on so great an occasion.

The Officers Attended ye Hon:ble Lieut:t Govr. and again drank his Majties health, with the Drumms beating and after adjourned to Gov:rs house. And the Whole Garrison have since taken the Oaths to his Majty.

Caulfeild to the Privy Council. [23

1715. May 3. Refers to letter of Dec. 25 giving account of proclaiming George I with all the solemnity C. was capable of. Reports of Button and Capoon were enclosed: navigation at that season obstructed. From reports, it appears the French intend to quit the colony and refuse the oaths. Begs leave to acquaint their lordships of their want of payment and provisions. Commissary's return enclosed shows provisions in store "by which itt plainly appears The Streights wee are putt to, having Lived a Considerable Time on half allowance, and am att This Time obliged To Send a Sloop To represent our Case To ye Gov^nmtt^ of New England."

(initialed.)

T: C:

Caulfeild to the Lord Treasurer. [2

May 3. Memo: The first of this letter is the same as the former, save that Mr. Walpole is mentioned for How. Capoon's charges of his sloop for proclaiming George I king, in accordance with orders of Privy Councill, &c., enclosed. Humbly desires their Lordships would be pleased to direct the payment thereof.

(initialed.)

T. C:

Caulfeild to the Secretary of War.

May 3. Informs him of the "vnhappy Circumstances of This his majesties Garrison": impossible to subsist another winter under present arrangements. Encloses copy of Gen. Nicholson's last letter and Commissary's return of provisions in store, "Notwithstanding privat Men have Lived a Considerable time on halfe allowance, and the officers have recd butt bread and Mellosses out of ye Stores Since Deb^r^ Last." Encloses account of public money left and sent by Gen. Nicholson, which shows what remains in C.'s hands. Reason for troubling S. of W. with this is to prevent Nicholson's insinuating anything to C.'s prejudice on that head. Now forced to send a sloop to N. E. for assistance; could have done so

before on his own account had not Nicholson "taken pains To ruin my Creditt for w^tt reasons I Can not tell." 1715.

(initialed.)

T : C :

Caulfeild to Walpole.[1] [26

Having received letters from John Howe relating to clothing sent by Nicholson to be disposed of in the interests of the king, encloses account of what remains on his hands. Clothing will not sell at the prices fixed: Nicholson has sold the same cheaper at Boston. Has used all his powers to dispose of them and failed. May 3.

(initialed.)

T. C.

Caulfeild to Gov. Dudley.

Begs D. to care for the packets accompanying this letter, being for the service of H. M.'s garrison, and forgive the trouble C. occasions him "Our Garrison being in ye Greatest Necessity for provitions have drawne a memorial directed to ye Excelly and Councill of New England." Begs D.'s interest in it, otherwise they will lie under the greatest hardships. May 6.

(initialed.)

T. C :

Caulfeild to the Lords of the Admiralty. [27

Acknowledges receipt of a box directed to him from J. Burkett containing several orders relating to trade: will use all imaginable care to carry them out.[2] May 27.

(unsigned.)

Caulfeild to Secretary of State. [28

Refers to letter of May 3, enclosing Button and Capon's[3] account of the proclamation, and informing him of the garrison's want of food. Transmits the opinion of the memorial to the Government, and a letter from a Boston merchant who June 6.

1. Direction reads "To ye paymaster Gell of Gaurds and Garrisons Horacio Walpole."
2. Memo: "Mr. Manly wrote Mr. Burchett's Letter."
3. Name so spelt henceforth.

1715. assisted them. Officer sent for the service informs C. that the Govt. of N. E. would not assist them, if this merchant had not done so. Would have caused great suffering, as C. himself has no credit in Boston through Nicholson's contriving. Their happy escape obliges C. to give this trouble, and to enclose accounts of public money left and sent by Nicholson "Lest he should Insinuate Any Thing To my prejudice on That head——And as I formerly had the happiness of being known to you when In Spain, am thereby emboldened To Enclose you This Memorial given me by some part of ye Officers of this garrison requesting I would send Home in Their justification, Butt knowing The Author to be a man of very Indifferent principalls and prejudiest against Con.^ll Vetch. Obliges me not To Creditt The Same, being well assured noe boddy Can be Soe Vnjust To represent The officers of Thi. Garrison disaffected To ye House of Hanover There haveing Never been the Least room to Suspect To my knowledge Any officer but ye Said vane." Spellman and Simpson who "waite on you with This" will give further information regarding the garrison.

(unsigned.)

Caulfeild to the Secretary of War. [2

June 6. Refers to letter of May 3 informing S. of W. of the garrison's necessity, and of being obliged to send to N. England for help. Encloses opinions of the officers on the memorial to the Govr and Council of N. England, letter from Boston merchant and report of officer sent on that occasion: which shows that if "ye Said Clark" had not considered our wants, H. M.'s garrison must have suffered severely. Encloses Commissary's return of provisions and account of money left and sent by Nicholson. Hopes to hear of some better arrangement before these are expended. Encloses memorial by some part of the officers of this garrison to be sent home in their justification. C. knowing the author to be of indifferent principles and prejudiced against Col. Vetch does not put any faith in it "and Captt Armstrong refusing an Attested Coppy of Those paragraphs in ye Said Letter wrote by Vane." Believes nobody could be so unjust as to represent the officers of the garrison

as disaffected to the House of Hanover, excepting Vane. 1715.
Spellman and Simpson take this letter and will give further information regarding the garrison.

(unsigned.)

Caulfeild to the Agent of the Garrison. [*31*

Encloses copy of letter from Boston merchant who assisted June 9.
the garrison, when in great necessity for provisions, a full account of which C. has sent to the Secretary of War. This to explain why C. gave bills at 50% to Clark who supplied the garrison, "after all others declined The Service." For his encouragement, all other bills C. draws on the Agent will be at 60% advance.

(initialed.)
T. C.

Since last account, have disposed of to Capo n to the value of £73.7s. N. England money: account with Capoon's receipt enclosed: hope agent will make stoppage for it.[1]

(initialed.)
T : C :

"Wrote to Mr. Henrey Franklin June ye 8th.
Wro To Mr. Tanant June ye 8th."

Caulfeild to Belcher. [*32*

Refers to B.'s letter of the 17th past, complaining that C. had June 6.
not answered B.'s letter of March 3. C. has found that B. declined supplying the garrison further, and, having given Alden a receipt for contents of the invoice and bill of lading "Thought that might have been Sufficient."

(unsigned.)

Caulfeild to Board of Ordnance.

Encloses contingent account belonging to the B. of O. from June 9.
Nov. 8, 1714 to May 31, 1715, both days inclusive, except the paragraph relating to James Clark, which is from Oct. 11, 1714 to May 31, 1715: expense of stores is from Nov. 1,

1. Memo below; "To ye paymaster genll ye Rest of ye Letter in duplicate."

1715. 1714 to May 31, 1715. Has examined accounts and finds that they agree with his books. Also list of people "belonging to" the B. of O. all signed by C. and "mr. Burges Master Gunner." Enclosed letter from Vane to Burges, wherein he has the assurance to give out that, notwithstanding his recall, his orders are to be complied with in all respects until his return. Will inform this Board from time to time of anything of importance.

(unsigned.)

Caulfeild to Clark (?)[1] [33

June 9. Acknowledges receipt of letter with ten bbls. pork by shallop "Hannah"; and also one by Blin with fifty more: sends bills for same at 50%, which is less than usual. Has written in his favor to the Secretaries of State and War and transmitted copy of his (correspondent's) letter: also written to the agent: is "of oppinion" that the money will be paid punctually; "not questioning butt When it appears att Home How Servisable you have been to This Garrison in Such a time of Necessity They will be ready To own The Obligation." Wishes 20 bbls. pork more and 3 hhds. molasses, "on my own or y^r Risque as you please." Sorry to hear of the scarcity in N. E.; hopes for better times: holds out prospects of imperial favor.

(unsigned.)

"P. S. Tis proper you Signe ye recep^tts which are under The Accts of pork Annexed To ye Bills That being allways method and what is required att Home."

Caulfeild to Clark.[2] [34

July 4. Annapolis. Refers to letter of June 9, asking for 20 bbls. pork: now requests that they be shipped by the first vessel "bound to this place the Garrison being at this time very bare haveing been Considerablie in Arrears to ye Men before your last Supply came to hand." Again holds out hopes of imperial favor for services rendered.

(unsigned.)

1. Unsigned and undirected: cp. letter to Agent [31] and Secretary of State [28].
2. This and the three following letters are in handwriting no. 2.

Caulfeild to Gov. Dudley.

Acknowledges receipt of D.'s letter of July 5. As soon as he has a conveniency will send to Cape Sables and demand Satisfaction "for such unjustice done." Has had six chiefs here, spoken to them about the matter; they have promised to despatch a messenger to "desire them to forbear those Irregularityes." C. has heard of other instances of misbehavior of these Indians: wishes it was in his power to make redress. 1715. Aug. 2.

(unsigned.)

Caulfeild to Wm. Clark. [35

Acknowledges receipt of invoice and bill of lading dated July 15. What "as Yett hath been made use of either" pork or molasses has proved satisfactory. Encloses bills drawn at 50% and has written agent for punctual payment; but this is to be no precedent when the affairs of the garrison are settled. Wishes Clarke to pay the freight of the 20 bbls and 1 hhd. sent by Walters and charge it in the next invoice. Wishes C. to provide further for garrison 50 bbls. more best pork and 4 hhds. molasses and send part by first vessel, which may tide them over until they hear from G. Britain. Now turns to his private affairs. If it lies in Clarke's way, he (Caulfeild) will "be Proud of such a Correspondent"; and will take care to give good bills for such "Effects" as Clark may furnish: "it may perhaps seem Strange to You that I have Quitted M[r] Fannuel, but M Franklyn leaveing of me so very abruptly and in a time of Necessity I resolve never to Correspond farther with him, I believe by this time he is Convinc'd of his Informations." If convenient to C. he would like him to furnish "one Pipe best Fyall Wine one Hogshead Barbadoes Rum one D[o] best Virginia leaf Tobacco two ffirkins of Butter one barrell of best Musquevado Sugar ten Gallons Lime Juice two boxes of Candles one box of Castile Soap two pound of pepper halfe pound of Nutmeggs to y[e] Value of Twenty Shillings in cinnamon Cloves Mace and all Spice, I must likewise desire you will pay y[e] freight for there is no such thing as money here." Aug. 2. Annapolis.

(unsigned.)

1. Fanouil? Fanuell? for latter name, see Sabine, 418.

Caulfeild to Sherriffe. [36

1715. Aug. 2. Annapolis. Acknowledges receipt of letters dated Feb. 20, March 12 and 25. but S.'s first with account of his being wrecked has miscarried. Glad to hear of S.'s care in his affairs; C. has transmited to "Gen :[ll] Carpenter and my Brothers the Publick Acco :[t]" with copies of all the receipts attested by the Judge-Advocate, being unwilling to trust such important originals out of his hands. Has written to "my Unckle" in regard to the character Nicholson gave of S. C. finds it like the rest of N.'s prejudice to C.'s interest: S. will not suffer on that head. "I have likewise Sent several Coppys of Memorials the Contingent Acco[t] with y[e] first Memorial Signed by all the Officers of y[e] Garrison w[ch] was y[e] instigation that made me undertake that Affair for y[e] Preservation of y Garrison so that if I cannot Obtaine y[e] whole Informe my Brother to Endeavour to make a General Charge upon y[e] Whole Corps, as to getting y[e] Officers respective bills on y[e] Agents for what they received of me as they are not all here you must keep that Obligation Signed by them all and if their pay be Remitted here send it back to Me and shall take Care to pay myscife." S. to be very circumspect in regard to Capt. Gardener's abstract and the accounts of the detachment. If there are any "dividends made on that head" C. is the largest creditor, and ought to receive in proportion to his pay. "'tis very hard after four Years to be putt off with y' Deduction of Eleven out of twenty"

(unsigned.)

Caulfeild to Gordon, Agent.[2]

Aug. 2 Since his last of June 9, the service has obliged him to obtain supplies from Clarke, 20 bbls. more pork and 2 hhds. molasses. Has drawn bills on G. of this date for same at 50%. As there is no person appointed here for this "Effect" (i. e. victualling) and as Clarke runs all risks, it is only reasonable that he should have some allowance.

(unsigned.

1. Instead of the usual formal ending, this letter has "believe that I am when in my power your Assured ffreind to serve you."
2. Handwriting changes here to No. 1.

Caulfeild to Clark. [37

1715. Aug. 18. Acknowledges Clarke's of 6th inst: endorses bills at rate requested. Care Clarke has taken in the preservation of this garrison shall certainly be acknowledged. By Caulfeild's of the 2nd, he will see how seasonable was the supply of 25 bbls. pork and 2 hhds. molasses. Has directed the agent to pay promptly; so hopes Clarke will forward supplies required for his personal use. The hhds. of molasses gauge at 105 not 115 gallons: believes it was a mistake. "My most humble Service to yr Spouse for her kind present." Enclosed letter to be forwarded. Forgot to mention 6 gallons vinegar in his last.

(initialed.)

T. C——

Caulfeild to Gordon, Agent.

Aug. 18 1 Since last of Aug. 2 has drawn on G. for £99. 3s. stg. for 25 bbls. pork and 2 hhds. molasses. "Mr. Clark desiers I woud Inform you that this is ready Money Laid Out of his hands with noe Other design Then To preserve y Garrison"; and requests payment without delay, as Clark has been so kind.

(initialed.)

T: C——.

Caulfeild's Instructions to Capoon. [38

Aug. 16. Annapolis. Informed by letters from Govr. and Council of Boston of hostilities committed by Indians in N. S. on H. M.'s subjects, fishermen: Capoon with the sloop "Caulfeild," to make diligent inquiry as to what provocation the Indians had, especially in the ports of "Pugmagoe, Cape Sables, Port Rossway, Lahave, Merligesh and Shebuctoe," as "the most likely places for Meeting with ye Said Indians." To join H. M. S. Rose, havin, on board Col. Goffe and Capt. Caley, Commissioners appointed by the Govt. of N. England to enquire into these practices. Capoon to assist them in all particulars; to note down carefully all negotiations; report to Caulfeild in form at Annapolis; and, as

1. The address is only '18th,' almost enclosed with a dash of the pen.

1715. there is reason to believe it is the work of the French, to proceed to Cape Breton with such despatches as Caulfeild shall deliver, for the French governor's answer, with which he is to return to Annapolis with all speed.[1]

(initialed.)

T. C:

Caulfeild to Costabelle.[2] [39

Aug. 16. (2) Informed by letters from Govr. and Council at Boston of "ye Great and Many damages" sustained by N. E. fishermen from Indians and others, in plundering and taking their vessels from them; and having good ground for believing that some of men are to be found in Costabelle's govt., hopes he will order satisfaction to be made. Mr. Petter Capoon, H. M.'s commissary, the bearer, has also suffered much by said Indians, and several French sailors in his employ have deserted indebted to him: hopes Costabelle will do Capoon justice.[3]

(unsigned.)

Caulfeild to Dudley. [40

Aug. 12. Since C.'s last to D. of Aug. 2, has received others of July 20 and 26 and, by arrival of Goffe and Cayly is informed of the Cape Sables Indians' hostilities. Has ordered Capoon, who is well known along the coast and has also suffered considerably, to attend the man-of-war, visit the ports in his sloop and try to get speech with the Indians and discover the reasons for their resentment. No Indians have been here since before Nicholson's arrival; as there is no vessel here for government service, Caulfeild is entirely ignorant of the Indians' proceedings. Will endeavor to cultivate a good understanding with the said Indians.

(unsigned.)

Caulfeild to Clark.

Sept. 16. Since Caulfeild's of Aug. 18, he has not heard from Clark: and takes this the first opportunity of informing him of the

1. Below: "orders Given to Mr. Capoon Com. Sy."
2. As before, direction merely 16, in parenthesis.
3. Direction reads: "To ye Govr. of Cape Bretton monsr Costable."

great need of the garrison for molasses and pork. By the letter of Aug. 2, Clark will see what was needed. If he can meet with any good olive oil, to send 2 galls. for governor's own use. 1716.

(signed.)

Tho Caulfeild[1].

Caulfeild to Jean Layard.[2]

Has received L.'s letter Oct 3, by an Indian sent for the purpose. Begs him to say to all the Indians of his mission that C. is ready to do all in his power for them and that Mr. Adams a merchant has promised to send a vessel "Charge[1] de tout Sorte de Choses," which C. hopes will soon set out.[3] Has no news from Europe but hopes to hear daily: Layard will not be driven away. Oct. 3.

(initialed.)

T. C——

Caulfeild to the Agent (Gordon?)

Since C.'s last of the 18th, when he drew on agent for £99. 3s stg. this is to inform that he has drawn at this rate for [left blank] for provisions for the garrison.[4] Oct. 6.

(initialed.)

T. C——

Caulfeild to Clark. [42

Informed Clark in letter of Sept. 6 of the need of molasses and pork. Still labor under the same difficulties and have suffered very much for want of molasses, but Blin has brought 69 bbls. of beef, which will last until Clark writes. Hopes that by this time Clark will have a confirmation of all affairs relating to the garrison, and will forward winter supplies of food. Encloses Commissary's return, by which their necessities can be judged. Oct. 7.

(initialed.)

T: C:

1. Written hastily; first 'Caulfiled' by a slip of the pen; then the 'e' is corrected into 'l.'
2. In French: direction reads "amonsr, Jean Layard a la Rivier St. Jean.
3. "E je Spere que Set Battiment dan un peu de temp pour Les alle assiste."
4. Direction reads: "To The Agent.'

Caulfeild to Board of Trade.[1] [43

1715. Nov. 1. Annapolis. Acknowledges receipt of their letter of July 22, by ship laden with nine months' provisions at short allowance. According to their Lordship's directions, C. will set down the best information and accounts he is capable of in reference to this colony: soil, quantity of grains, stocks and sorts of cattle, masts, pitch, furs, mines, timber for ship-building, number and condition of the French inhabitants, the Indians of Penobscot, St. John's river and Cape Sables; and the present state of Cape Breton. Three places principally inhabited by the French, "Annapolis Royal, Minis, and checanectou." Annapolis the "Metropolis" has rich sound soil, produces 10,000 bushels grain, chiefly wheat, some rye, oats and barley. Oxen and cows, about 2000, sheep about 2000, hogs about 1000. Masting can be had with difficulty; pitch has been frequently made. Forty thousand weight of furs have been taken out each season since the reduction of this place. "Mines none."

Fishery on the coast much the most valuable in N. A.: depends mostly on the easterly coast. C. has it "from very good hands" that New England takes in one season above 100,000 "Kentalls" of fish over and above what the inhabitants take and sell to our merchants. Great quantities of timber for ship-building "and reputed to be Good." Bason is our harbor, and the river "Yeilds Vast Conveniencyes". Country produces all sorts and great quantities of fish, such as "Bass Cod: Large Shatt, Herring, Thom Codds. with great Store of flatt fish." Thousands of vessels could find safe anchorage in the Basin at all seasons: about 300 able men in this part of the colony, of whom 90 have families.

"Minis" is 30 leagues N. E. from this place: much the best improved part of the colony: plain country, fertile soil, produces over 20,000 bushels, mostly wheat with pease, rye and barley, which is their principal branch of trade. They have at present, oxen and cows about 3,000, sheep about 4000, hogs about 2000. No masting; pitch is made there and sold at cheaper rates than what is got from New England.

1. Handwriting changes again to No. 2.

Considerable quantity of furs brought in by the Indians and 1715.
sold by the French to our traders. Copper mines there of which the inhabitants make spoons, candlesticks and other necessities. They have between 30 and 40 sail of vessels, built by themselves, which they employ in fishing. Their harbors are but indifferent: there are about 500 men, of which 200 are settled inhabitants.

"Checanectou" is situate N. about 30 leagues away; a low country, used mostly for raising black and white cattle. Were supplied from C. in our necessity with about 70 bbls. of extraordinary good beef. The greatest resort for the Penobscot and St. John's Indians, who barter to the French great quantities of furs and feathers for provisions. Oxen and cows about 1,000, sheep about 1,000, hogs about 800, corn to support their families (about 50), computed to be 6,000 bushels. Very good coal mines there, which have formerly been used by this garrison. Masting may be had there, but the best places are "Pesmecoddy Mages and St John," for masts of all sizes and with rivers for the embarkation of them. N. from here about 14 leagues.

Harbors to the eastward from this place to the "Gutt of Canco, beginning at Pugmacou[1] Cape Sables, Port Rossway, La-Have, Marligash, Chebuctou, Bay of Vert, Restubuctou &c. to ye Gutt of Canco." Masting to be had, with convenient water carriage; but few inhabitants in any of them. They are accounted good harbors, resorted to by N. E. fishermen and ours on all occasions, and are capable of improvement, "especially La Have Port Rosway, and chebuctou, being most Convenient for trade and ffortification." Canso recommended particularly, because it has the richest fisheries, and the French design building a fort at St. Peter's not above seven leagues away; which will make it impossible to protect British vessels.

If[2] the French remain in this country, it will tend to its improvement: their numbers are considerable, and if they quit us we strengthen the enemy. Though we may not expect

1. Last letter doubtful: written above in black ink, "Pobomcoup."
2. A large part of what follows is printed in full, but not accurately, A. A. 8-10, for instance, "in case they quitt us will still strengthen," (p. 8 foot) reads in the original "in case they quitt Us, Wee Still strengthen, etc."

1715. much benefit from them, their children may "be brought to our Constitution." As there are well-meaning people among them we can always guard ourselves from injury. Since coming here C. has always observed their willingness "to Serve Us, when Occasion offered." Some English laborers, tar and pitch makers, carpenters, and smiths sent over would be a great advantage. If the French leave, we shall never be able to protect our English families from the insults of the Indians, "ye Worst of Enemyes." From their stocks of cattle, with due encouragement, the colony could be in a short time self-supporting.

The Penobscot, St John's and Cape Sables Indians trade chiefly along their several coasts with fur and feathers, but never come here except when driven by necessity, alleging as their reason that there are no king's magazines here, as in the time of the French and as there is now at Cape Breton. Believes it would be of great advantage to establish such a magazine not only for the sake of trade, but as a means of winning the Indians to the British interest "by kindly using of them, on wch formation their friendship is wholy founded." Encloses copy of letter from the Penobscot Indians, written by their priest and translated into English, and C.'s answer to it.

Cape Breton: "its soil is no way valuable being intirely a Rock covered over with Moss": little or no timber of any manner of use, spruce and low pine being the chief growths. C. informed by several of the inhabitants of Annapolis who went to C. B. during Nicholson's administration, that the land is not improved or capable of improvement. Last year their fishery was good; but this year a failure; of 70 or 80 sail, only 8 or 10 got their freight. Reported that there is no advance towards raising a fortification, and not one cannon mounted: "One Costabell" is governor, and has about 300 regulars. Two points N. W. of the Cape, which they intend to fortify strongly, "Called St: Anns and Peters." points most advantageous for them and dangerous for us: in case of war, we shall not be able to protect our vessels, "St Anns, and Peters, being ye Keys to our Eastern Coast" Placentia cannot help us

as much as C. B. can injure us. Encloses maps of the "Islands of Cape Breton and bay of ffundy." 1715.

Nicholson's visit: N. sent C. several letters from Boston, asking C.'s opinion of the garrison, which C. answered punctually. N. and Burchfeild, surveyor-general, appointed Hibbert Newton collector of this port. Newton showed C. a letter from Nicholson (dated Boston, Ap. 6, 1714) ordering that no vessel was to go to any port without a customs officer, whereby "the whole Trade of the. Colony was Stopp'd near four Months," though Nicholson knew that no customs officer but Newton had been appointed. C. wrote to N. several times, "On that head," pointing out the hardships the people of Annapolis suffered, who had corn at Minas and other ports, but were not allowed to go and fetch it for the use of their families. N. answered that if C. had sufficient provisions for the garrison (though N. told C. what quantity he proposed) the inhabitants and others might dispose of the remainder as they thought fit. The reason publicly given for this conduct was that Alden and other traders would not conform to N.'s opinion regarding Vetch. On N.'s arrival at Annapolis the following Aug., he assured the garrison of his favor and interest, though at the same time, he stopt our pay at home, injured our credit at Boston, drove some of the French out of the country, shut the gates of the garrison against those that remained and declared them traitors, though he knew the garrison must depend upon their help during the coming winter or perish: when he returned to Boston, he left us unprovided for in every respect. It would be "too troublesome" to recount all N.'s "Means and Methods"; nothing done for the service of the country or the garrison, but simply a series of schemes to ruin Vetch and his friends.

Obliged to acquaint the Board with the frequent complaints of Capt. Armstrong's misbehavior "towards several Inhabitants here." Complaints will be transmitted in next.

(unsigned.)

Caulfeild to the Lord of the Admiralty. [47

1715. Nov. 1. Annapolis. Formal acknowledgment of the receipt of orders, dated July 13, "Notified to me by Mr Burchett," per ship "Prince Frederick"; and promise to carry them out.

(unsigned.)

Caulfeild to the Commissioners of the Victualling Office. [48

Nov. 1. Annapolis Acknowledges receipt of their letter of July 23: per ship "Prince Frederick," (Wm. Blair, master). Goods conform to his bill of lading except two "half Hogsheads mentioned Grotts wch are but half Barrells."

(unsigned.)

Caulfeild to the Master of Ordnance.

Nov. 1. Annapolis. Refers to his letter of June 9, enclosing accounts: now sends those for interim to the present date, signed by Burges, master gunner and himself, together with a list of the gunners and bombardiers in garrison and their memorial to the B. of O., pointing out their hardships. Encloses also the surgeon Mr. Skeen's memorial: he has been "very serviceable to ye People of ye Traine on several Occasions," and desires C.'s good word with the Board. Wants apparently what is allowed the surgeon at Placentia. C. considers him a "person truly deserveing."

(unsigned.)

Caulfeild to Secretary Stanhope. [49

Nov. 1. Annapolis. Refers to his letter of June 6; since when a ship has arrived from the Victualling Office with nine months' provisions at short allowance, which seasonable supply will, C. hopes, defeat Nicholson's malicious neglect of the province and garrison. By same ship, C. had letter from Board of Trade, ordering him to transmit an account of the colony: has done so, and hopes it will be satisfactory. Gen. Carpenter acquainted C. of Stanhope's kind "Interposition in my favor." Thanks him. Shirreff, who was formerly in this garrison and is now H. M.'s commissary, tells him that Nicholson has injured his character. C. has known S. four years, and considers him perfectly fit

for his post. E closes Lieut. Jeffreyson's memorial of his sufferings since the establishment of this govt. "wch must be Confessed Extremely severe." C. recommends him earnestly on account of his invariable good conduct. Armstrong has obtained eight months' leave. C. is informed that A. has written against him; cannot imagine why unless it be for "Acquainting of him of his unreasonable Proposalls and Arbitrary Inclinations wch most of ye People here are Sensible off." 1715.

(unsigned.)

Caulfeild to Vetch. [50

Acknowledges receipt V.'s letter per transport loaded with provisions. Only too sensible of N.'s malice: had his designs been carried into effect, C. is persuaded that there would not be an inhabitant of any kind in the country nor a garrison on foot, "when I Recollect his Declaration to ye Inhabitants and afterwards to ye Soldiers wherein he tould ye latter that ye ffrench were all Rebells, and would certainly Cutt their throats if they went into their houses telling of Us Wee must have no Manner of Correspondence with them and Ordered ye Gates of ye Garrison to be Shutt; Tho' at ye same time he was Sensible that Wee could not Subsist the Ensuing Winter but by their Means." A description of all he did would be endless; cannot forbear to relate one incident: "as he was in his house, he Observed one of ye Souldiers comeing into the Garrison with a Rotten Pallasadoe, one of those You formerly displaced and removed, upon wch he called for all ye Officers of ye Garrison and in a very Unbecomeing Manner told Us, Wee should loose ye Garrison, if there was not better Care taken and Ordered the fellow to prison, and in two days afterwards he did not leave one Palisadoe Standing about the Garrison, which remains so to this day." It would puzzle the wisest head in Europe to find anything N. has done of the least benefit to the garrison or colony." Nov. 1. Annapolis.

(unsigned.)

Caulfeild to the Earl of Galloway. [51

1715. Nov. 1. Annapolis. Stately note of thanks from an Eighteenth Century client to his noble patron, for his continued "kind Offices and favours in my behalfe." "My Uncle Carpenter who I suppose by this time is gon to ye Imperial Court hath likewise used his Endeavours for my farther preferment."

(unsigned.)

Caulfeild to ———— [52

Nov. 1. Annapolis. Also a note to a patron. Has transmitted to the B. of O. surgeon Skeen's memorial. "I doe assure you he is a Gentellman who deserves y^r favor." Excuses himself for not writing oftener, "but our Cituation is very perplexed (?) at present for such Convaniency." Hopes for better things soon.

(unsigned.)

Caulfeild to Poulteney, Sect'y. of War. [53

Nov. 1. Annapolis. Since his last to the S. of W., of June 6, a vessel has arrived from the Victualling Office, with nine months' provisions at short allowance.

Clark the Boston merchant, who supplied us in our necessity, assures us that it is with difficulty he can get Gordon, formerly our agent, to accept our bills; G. pretending that they are not drawn in proper form. Caulfeild has always drawn them in form prescribed by Nicholson, (except once, and C. advised Gordon of the error). Wants a stop put to this; and that Lynn or Gordon be ordered to make payments "without using such Equivocations." They have had our money in their hands a considerable time, without sending any abstracts or accounts; whereby we are "Incapable of drawing for our Personal Subsistance." Informed that it is partly if not entirely Nicholson's doing. Consequence is great hardship: what clothing N. left or sent us is bad and dear. Sends by this conveyance a specimen of each article of clothing, with the price affixed "to demonstrate our Usage." Coats were sold to moor at 6s. and charged to us at 21s. At this time there

are neither shoes, stockings nor watch coats in store to keep our men from perishing this winter: "and to excuse his Neglect of ye Garrison represents us as useless." 1715.

On Oct. 26 ordered Ens. Eskin, senior ensign "to take Post accordingly": other ensigns objected, wished a court-martial, which was held, and decided in their favor. Erskin's memorial enclosed to be laid before the Board of Gen. Officers.

Encloses Lieut. Jeffreyson's "Memorial of his Sufferings since ye: Establishmt: of this Garrison wch: must be Confessed extreamly Severe:" C. recommends him to the Secty.'s most favorable consideration.

(unsigned.)

Caulfeild to Walpole. [54

Refers to last of June 9, forwarding Capoon's account and "Rect: of Stores for £43:7: New England Money." Encloses general acct. continued from C.'s last of May 3. Sends by this conveyance a specimen of each article of clothing with price affixed: W. will perceive the excessive rates charged. Mr. Moore one of the Lord Commissioners of Trade having paid but 6 or 7 shillings per coat, "and soe in proportion for ye: other Species." Nov. 1. Annapolis.

When C. first received the clothing from Nicholson, N. told him that it was crown property and that "if any Officer should presume to make use of any other than ye: said Clothing he would have that Officer or Officers soe Offending Broke." Soon after, N. was selling the same clothing in Boston at half prices. Besides N. stopt their pay at home, ruined their credit at Boston, and, to cover his neglect, represents this place as not worth maintaining.

(unsigned.)

Caulfeild to Mulcaster.[2] [55

Acknowledges receipt of M.'s letter of June 15: has also M.'s of Feb. 10. with directions how to draw their bills. Would be glad to learn what is allowed for each officer's subsistence, which M. has omitted to mention. Nov. 1. Annapolis.

1 Direction below letter reads, "To Walpoel, &c."
2 Direction reads "To Mr. John Mulcaster."

1715. As to mismanagement, all former drafts were made by Nicholson's orders and directions. Has written to the Secretary of War to say that neither Gordon nor Lynn ever sent any "Abstract" to the garrison, which made it impossible to draw their personal pay.

C. wishes M. to get the garrison's accounts from "them Gentlemen, and as well their reasons for not informing of Us" what money they had of ours. Their conduct unprecedented. The form of draft ("bill") M. prescribes will be observed. If Shireff has not brought my Lt. Govr.'s commission, M. is requested to "take itt out for Me" and send it by the first conveyance.

(unsigned.)

Caulfeild to Clark. [56

Nov. 12. Annapolis. Acknowledges receipt of Clark's letters of Sept. 22, and Oct. 1, 5, 6. Has received stores conformable to C's invoice: Encloses bills for amount, though he has "not as Yett made use nor Examined" the goods: hopes they will be punctually paid. Has done C. Justice at home and informed the Secty. of War of the agent's retarding payment of bills.

Has not sent bills in settlement of his private account, because Shireff who was sent home to settle Caulfeild's private affairs, and returns this winter as Commissary, wishes C to defer drawing any further bills until his arrival. Wishes Clark therefore to give him time; will send him by first opportunity bills for £100 stg. Information Clark had (probably from Franklyn) is wrong: the opposite the case. Has allowed "Blynn" for the freight Clark has charged; wishes C. to deduct the amount £10 15s. from next invoice. Victualling Office has sent no beer, and C. therefore orders 20 hhds, molasses for the use of the garrison.

(unsigned.)

Caulfeild to Clark. [57

Nov. 12. Annapolis. Refers to letter of 1st. inst. sent by Ens: Cocksedge with bills for amount of invoice. Encloses copy of paragraph of

Caulfeild's letter to the Sec. of War, in regard to prompt payment: "for fear of any Accident I shall often Repeat the same." 1715.

Renews the order for 20 hhds. molasses, to be sent by first opportunity, probably Walters: garrison suffering much for it.

Hopes Clark will believe him about his private bills: will pay punctually and advance him more than he is indebted to him. Orders "One Pipe of Green Wine two barrells of Rum two boxes of Candles one of Soap one barrell of Sugar One Rheam of Paper of ye same Size and Sort I writt to You upon with halfe a doz^n papers of Ink Powder."

(unsigned.)

Caulfeild to Mulcaster. [58

Duplicate of C.'s last enclosed: on further consideration, orders M. not to pay out the "Subsistance" of the non-commissioned officers and men, until he knows whether provisions are to be allowed this garrison. "That being ye fund to discharge ye debts Contracted for their dayly Subsistance here." Nov. 23. Annapolis.

Surprised that Gordon did not inform M. of this custom, and also as to the proper form of drafts. If M. does not take great care, the garrison will suffer extremely.

Encloses Ensign Button's order to stop £20 of his pay yearly for the maintenance of his wife. If the garrison pay for their provisions, M. is to retain enough to discharge the commissary's certificate of provisions Button received at Annapolis.

Jeffreyson and Cross (on half pay) enclose provision accounts signed by themselves and the commissary. M. to give it to the proper office for stoppage.

Encloses Capt. Williams' bill for subsistence for £51. 3s. 6d. stg. in favor of John and Wm. Alden, endorsed by Caulfeild. If there is not so much to W.'s credit, hopes M. will not protest it.

(unsigned.)

Caulfeild to the Board of Trade. [59

1715. Nov. 23. Annapolis. Duplicate of former letter enclosed. Since that date, several of the French inhabitants driven out by Nicholson have returned: others will follow. Hears that the French at Cape Breton have suffered for want of provisions and many died. Would have been worse off, if Boston traders had not supplied them; hears that near a thousand vessels of all sorts will be employed in the fishery next season; that there is a very great resort of traders there from all parts of France; and that the regulars are moved to St. Peter's and St. Ann's, to work on the fortifications.

Encloses Winniett's letter and memorial: assures the Board that W. has been of very great service to the garrison, and his behavior did not in the least deserve such treatment from Capt. Armstrong.

(initialed.)
T C——

Caulfeild to the Board of Ordnance. [6

Dec. 14. Annapolis. Great hardships for want of bedding, increased by the "Indifferency of Barracks": unless some other methods be taken it "will be Impossible the Soldiers Can Support under so great A Misfortune." "I have to preserve their Lives this Winter." Has issued what tents there were in store. Hopes the Board will not take his representations amiss.

(unsigned.)

Caulfeild to Dudley.

Dec. 14. Annapolis. By this conveyance, the first since "Capon's Arrival here," transmits copies of Capon's transactions, and Caulfeild's letter to Govr, of Cape Breton in regard to the Indian outrages. By the Govr.'s letters to Caulfeild and to the savages D. will find how far he (Govr. of C. B.) interposed.

"If there were some Method taken to hinder the ffishermen from Giving ye Indians Rum it would be of Service to them."

(unsigned.)

Caulfeild to Board of Trade. [*61*

Encloses copies of several papers, with Dudley's letters to C. in regard to "the Many disorders committed by ye Indians on this Coast upon ye ffishermen of that Province," C.'s answer to Dudley, instructions to "Mr. Peter Capon," and letter to Govr. of C. B. By Capon's return, C. has received Costabelle's reply to Dudley, Costabelle's circular letter to all the Indians under the French govt. and Capon's journal of all his transactions from time of departure to return. C. is informed that the vessels taken have been returned, and that no lives were lost, as reported to the govt. of N. England. Indians "Alledge the fault to be ye Fishermen in Giveing of them to Much Liquor wch was ye Occasion of ye unhappy Action but little Creditt must be Given to them." Capon having volunteered to go, has made no charge, but wishes Caulfeild to lay it before the Board for their consideration. Will do all in his power to "prevent such Irruptions." **1715. Dec. 14. Annapolis.**

(unsigned.)

Caulfeild to Stanhope. [*62*

Encloses copies of Dudley's letters to C. in regard to the misbehavior of the Indians on E. coast of this government to the fishing vessels of N. England, C'.s answer, instructions to Capon, and letter to Govr. of C. B. "upon that Affair." By Capon's return, Caulfeild has received letter from Govr. of C. B. with copy of letter written to all Indians under French govt. and Capon's journal of his negotiations. All the vessels taken by the Indians, returned: report that eight men were killed, contradicted. Indians lay the blame on the fishermen. Capon volunteered for the service and has made no charge; wishes it brought to S.'s notice. **Dec. 14.**

(unsigned.)

NOTE. The hand-writing changes again to no. 1, [63] and first occur a number of hasty memos:

Ap^ll^ ye 17 1716

Wrote To Luett Govr Tailer &c

Do

1716. Wrote To Mr. Woodward &c

Do

Wrote To Mr. Borland

Do

Wrote to Mr. Clark and sent Him Bills drawn on The agent for 20 Hoggs of Melosses, as allsoe The Bill for fier and Candels."

Do

Wrote To Mr Mulcaster To Inform him That I have drawn on him for £100 Stg. in favor of Mr. Clark which I desired He will Answer and Sent him a Duplicate of my last.

Caulfeild to Clark.

May 15. In the opinion of C. and capts. it is absolutely necessary for Clark to provide six mos. provisions of pork and molasses for the four independent companies of this garrison, in accordance with the estimate (enclosed) for 300 men: to be sent by August next. Recommends special care in regard to quality; at the cheapest possible rate, as they have suffered "Considerablie on that head": Five hhds. molasses being especially needed at this time, C. desires that they be forwarded by first conveyance. As Clark will have time to make arrangements, he will inform Caulfeild as to the prices of wheat and pease. If cheaper in B. Caulfeild will order from Clark.

(unsigned.)

Caulfeild to Mulcaster. [6

Ap. 27. Encloses duplicate of former letter: this to inform M. that C. has drawn on him for £100 stg, in favor of Clark, merchant in Boston. Caulfeild could not comply with M.'s form, as he had given his (C.'s) brother a letter of attorney and the latter had called on M. for some money for C.'s use.

(unsigned.)

P. S. Mistake in Capt. Williams' bills which has delayed them until now: now draws for £51 stg: recommends M. to pay.

Caulfeild to Mulcaster.[1] [65

Acknowledges receipt of M.'s of Feb. 14 with acct. of payment of bills; two drawn on M. for provisions and the other payable to Capon, late Commissary for part of the charges he had been at "in Relation to ye said Provisions." Memo. of all bills drawn on M. for supply of garrison from Aug. 18. to present time. 1716. May 15.

"1715 Augt ye 18 to Mr Clark £99 : 3 : 0
8 ber : ye 6th to Mr Blynn 185 : 9 : 8
26th to Mr Clark . 143 : 13 : 4
1716 Apr^ll^ 27th to D^o^ . . . 228 : 16 : 9
to Mr Capon . . . . . 131: 1 : 6 . . 788 : 4 : 3"

Memo. two bills drawn for fire and candlelight according to the establishment: C. and garrison extremely obliged to the Sec. of War for writing to Lynn and Gordon. Garrison deserves better treatment than it has received. "I am very Uneasy to find that no bedding nor cloathing is forwarded for ye Troops whose Miserable Condition are Objects of Pity Notwithstanding my frequent Repetitions of their Necessity's." M. will find that C. has drawn no bills since provisions came from G. B. "(save Melasses to make Beer wch was wanting)" In regard to the Muster-rolls, Nicholson left no directions, but took lists which he said would be sufficient until a commisary came. When Wright came, he would not meddle in the matter, as it was before his time. Refers M. to the muster-rolls for the strength of the garrison. Asks for the garrison accts. "which will be A great Satisfaction to our Troops, whose patiance with Promises are quite Wore out."

(unsigned.)

NOTE. Below the direction "to Mr: Mulcaster &c" are two P. S.'s "Ensn Button whose accts I formerly Sent you being Ensn. To Cp^tt^ Aldridges Company is To be applyed To ye Creditt of S^d^ Company"

"I here Inclose you a Coppy of Mr Claks Letters To me by which you will determine How Low ye Creditt of this Garrison is at Boston, and the Considerable Loss Wee Suffer in our [word illegible] by ye Nonpayment of our bills"

1. Handwriting No. 2.

1716. NOTE: Below [66] is a memo. of the memorial sent to Stanhope by the Lt. Govr. and Officers to inform him that they could not obtain accounts from the agents and therefore could not pay their men "who are very uneasy on that head;" and praying that the agents be "ordered to Settle those Affairs."

Caulfeild to Stanhope.[1] [67

May 16. Annapolis. Refers to his last of Dec. 14. Writes to inform S. of his grievances. Though C. has written many times to Lynn and Gordon to settle, they always evade payment, pretending that Nicholson is the person they must deal with. N. took the accts. with him "with that Intent." Lynn and Gordon have apparently £5474: 4: 6½ of the garrison's money in their hands (since the establishment): "to ye great Prejudice of both Officer and Soldier here." Copy of Clark's letter enclosed will show how low their credit is sunk. Has written the Board of Ordnance frequently in regard to the "Condition of this place." The soldiers have had no bedding supplied since they came here, nearly five years ago. Clothing in store is so rotten and dear that the men refuse it, "soe that at this time there are but few Soldiers that Mount ye Guard that have either Shoes, Stockings or Shirts." Transmits copy of C.'s letter to the Board of Trade "by which You will Determine the Value of this Neglected Colony."

(signed.)
Tho: Caulfeild.

Caulfeild to Board of Trade. [69

May 16. Annapolis. Hopes his last of Dec. 14. with duplicates relating to Indian transactions have arrived: by this, the first opportunity, pursuant to their directions, he writes to inform them of the condition of Cape Breton. C.'s latest information is of the 10th inst: no vessel had arrived from France, though daily expected: great preparations for fishing; C "Creditably Informed" they take most of their fish at Canso and along the eastern N. S. coast: this cannot be prevented except by a

1. Direction reads: "To ye Right honble James Stanhope one of his Majties Principal Secretary of State."

ship of war: they continue raising fortifications at St. Peter's and St. Ann's. The island of St. John's, which the French of this colony seemed to like, in case they were obliged to quit the country, "is intirely abandoned" by those who went out of this government. People of Minas have written C. of their intention to remain in the province, and are making all preparations for improvement as formerly: they seem impatient to hear what has been decided in regard to them. No courts of judicature here: C. tried to arrange matters to suit both parties, but Nicholson asked to see the commission that authorized him to do justice in civil affairs: "to wch I answered that as I had ye Honour to Command in ye absence of ye Governor I Should allways endeavour to Cultivate as good an Understanding amongst ye People as possible believeing the same Essential for his Majties Service, and tho' I no Comn for that Effect yett I held myselfe blamable to Suffer Injustice to be done before Me without taking Notice thereof, haveing Never Interposed farther than by ye Consent of both Partyes." Wishes instructions "on that head." Encloses copy of his last letter to the Board of Ordnance, showing need of bedding: never had any supplied since their arrival, nearly five years ago. No clothing in store but coats: rotten and dear, the men refuse them (hopes Shirreff has fully acquainted the Board with this): few soldiers able to mount guard with either shoes, stockings or shirts. Recommends surgeon 'Skene' for his diligence and behavior; transmits S.'s memorial. 1716.

(initialed)

Tho: C.

Caulfeild to Wm Poulteney, Sect'y. of War. [71

Garrison gives P. "Infinite thanks" for his "Kind interposition in our favour to Mr Lynn and Gordon." Repeats complaints as to pay, bedding and clothing: as to first, they have never had any acct. from the agent; as to the second, none has been supplied for five years; as to the third, they have nothing in store but coats, so rotten and dear that the May 16. Annapolis.

1716. men will not take them. C. fears the "intire desolation of the Garrison, a place of great Importance to his Maj^tie^"

(signed.)

Tho: Caulfeild.

Caulfeild to Clark. [72

June 12. Annapolis. Clark's of May 12, to hand with returned bills: sorry to find that the credit of the garrison is so low "that its Bills will not Yeild 60 pp Cent as formerly when our whole Subsistance is ye fund for ye Same." Nearly £6000 due us from the former agents. "There never was a Garrison on ye British Establishm^t^ so hardly Used as this has been in all Respects." Encloses bills for both invoices of 30 hhds. molasses, at 50 per cent as desired: thinks Clark's objections to the bills very reasonable and hopes that next advices from G. B. will furnish them with better credit.

(initialed.)

T: C

Caulfeild to Pringle.[1]

June 12. Short note of thanks for P.'s "Interposition on Several Acc^ts^ in my favour." Shirreff has informed C. of it, on his arrival.

(initialed.)

T: C:

Caulfeild to Burchett.[2] [73

June 12. Has B.'s of March 6.: will observe their Lordships' directions. Has not as yet disposed of one pass "you formerly Sent Me": but when occasion of that nature offers, will obey their Lordships' commands.

(initialed.)

T: C:

Caulfeild to the Board of Ordnance.

June 12. Encloses duplicate of last: as Burges has given a full account of the state of the garrison, C. will not repeat it. Transmits account of provisions received by gunners and

1. Direction reads "To Mr: Robt: Pringle Deputy Secretary of State."
2. Direction below letter reads "To Mr: Burchett Secry: to the Lords of the Admiralty."

bombardiers since [left blank] sworn to by "Capon late Commissary and his Clark, and Examined according to ye Vouchers, by Captn Williams and Captn Aldridge." As C. has charged this to his own and company's account, desires Board will order payment. 1716.

(signed.)

Tho: Caulfeild.

Caulfeild to Clark. [74

Has Clark's of May 11, which came with 10 hhds. molasses for which Caulfeild sends bills conjoint with those returned: the 5 hhds. mentioned in Caulfeild's last need not be sent till August. Encloses bills and accounts to the amount of [left blank]. Wishes Clark to recommend the Board of Ordnance bill to "your Correspondent." Mr. Moor, agent for the half-pay officers, will pay Lieut. Cross's: believes the agents will pay Skene's punctually: Lieut. Jeffreyson's is a good bill; letter of advice to go with it, enclosed. "Messieurs Aldens haveing twenty Guinneas of mine w^ch: I formerly lett them have for thirty pounds Boston Money for ye Service of some Gentlemen here I earnestly desire You will Release my Gold and keep itt in your hands untill you are fully secured on that head." By next advices from his friends, hopes to give Clark bills for a considerable sum. June 19.

(initialed.)

T: C:

Caulfeild to Stanhope. [75

C.'s last dated May 16. This goes with memorial enclosed; "laying before you our Miserable Circumstances here at present." Hopes S. will not blame him; has "always endeavoured everything in my power to Prevent this Storme soe long threatened."[1] Will continue his efforts for His Majesty's service "to ye last Extremity."

(unsigned.)

1. Evidently refers to wholesale desertion. Below the direction "to Secretary Stanhope" is the memo.: "The same to ye: Lords Comrs: of trade. Pay Master General ye: Earle of Lincolne and Secretary at Warr.

Caulfeild to Tayler.[1]

1716. To inform T. of "the many dangers Wee lye under Occasioned by ye desertion of our Men in such Numbers as will in a very little time Oblige Us to be subject to most Emminent Dangers." Requests T. to send the ship of War "that Attends Your Coast to make a small Cruise towards Le Have." Deserters said to be among the fishermen: their apprehension will not only prevent future desertions, but put a stop to those going on. Hopes T. will order the fishermen not to harbor the deserters: "if not prevented may Occasion ye Desolution of this Place." Shirreff, the bearer of this, will inform T. that Ensign Prendergast or a sergeant who knows the men will embark on the man-of-war. Promises to reciprocate when service is needed.

(unsigned.)

Caulfeild to Clark. [76

Hopes his last of June 12 has reached Clark: ack dges receipt of Clark's of June 11. According to Clark's request, has communicated latter's letter to the officers of the garrison, who "seem to be very sensible of ye Ill treat^mt in ye non Paym^t of Your Bills", and urged Caulfeild to "informe You not to Send any farther Supply of Provisions untill You heard from me by wch Opportunity as the Troubles are now at an End there," their drafts will be more readily honored. Hopes matters will be arranged to the satisfaction of both parties; has often urged Clark's services upon the authorities. Secretary of State has given assurance that Caulfeild's bills in Clark's favor "should be Answered"

(unsigned.)

Caulfeild to Clark[3] [77

Would have written fully and sent bills for the molasses, but the sloop conveying this is going along the eastern coast, and will be late; thought it better to wait for a more favorable opportunity.

(unsigned.)

1. Direction reads "To Colonel Tayler Boston"
2. The rebellion of 1715.
3. No direction: assigned only on internal evidence.

Caulfeild to Clark

By Shirreff's arrival, has Clark's of Aug. 15, as also that of July 12, by Walters. "As I am at this time Indisposed," will only assure Clark he will do all in his power to settle accounts. Encloses Prendergast's first bill to be forwarded for payment with the rest. Next vessel will bring the second and third bills. "I shall Write to Mr Carpenter[1] my freind to Enquire for Your Correspond[2] Mr Loyd, and to Speak with him on my Affairs." Orders "two Pipes of good Green Wine one Hogshead of Rum two pound of Pepper two Boxes of Candles one of Soap one Barrell of Butter and one of Sugar with a Doz[n] Nutmeggs" 1716.

(unsigned.)

Caulfeild to Stanhope. [78

C. "favoured with Yours" by Shirreff: thanks him for his "Care of Us here w[ch] I hope will in some Measure Putt a Stopp to such Pernitious Proceedings."

(unsigned.)

Caulfeild to Clark.[3]

Acknowledges receipt of letter of July 12: each species answers to invoice. Did not expect them so soon: encloses bills dated Sept. 1, so that agent may have less excuse for deferring payment. As to not sending rest of provisions now, Caulfeild thinks his reasons good and leaves the affair in his (Clark's) management.

(unsigned.)

Caulfeild to Mascarene.[4] [79

Favored with M.'s of Nov. 4, by Jno. Harrison, with enclosure from "my old acquaintance and Very good ffriend Maj[r] Rapin whose health, happiness and good fortune, in all respects I heartily congratulate." Sends letter for Rapin to be forwarded when opportunity offers. Doc. 24. Annapolis.

(initialed.)

T: C:

1. Gen. Carpenter, married to Caulfeild's aunt.
2. No direction; addressee conjectural: the "Pernitious Proceedings" probably the agents' rascality.
3. Addressee conjectured: no direction.
4. Direction reads "To Maj." Mascarene.

Caulfeild to Rapin.[1]

1716. Dec. 24. Had the pleasure and satisfaction of receiving R.'s letter in Mascarene's; no time or place however remote can ever make C. forget his old mess-mates and particularly R. whose health C. has frequently remembered (and always shall remember) "in a Brimmer of Such as this dismall place can afford, Verry much I do Assure Inferiour to that of Alicant." Being almost buried alive here, C. has lately the pleasure of Mascarene's acquaintance; will cultivate him for R.'s sake and his own.

(initialed.)
T. C.

Caulfeild to Capt. Cyprian Southack.

1716-17. Jan. 1. Acknowledges receipt of S.'s of Aug. 13. Thanks him for his kindness in sending the London news, which has given C. "abundance of Satisfaction." Sorry S. has "Such a Shuffling Debtor:" C. doubts debtor's principles, and will do his best to bring him to account.

(initialed.)
T : C :

Caulfeild to Secretary of War. [80

1716. Dec. 24. Acknowledges receipt of S. of W.'s despatch dated Aug. 10, 1716, by "Mr. Jno. Harrison our Chaplain who arrived here in a Sloop with the Cloathing from Boston" on Nov. 1. Soldiers must have perished for want of it, "considering they have noe Manner of Bedding." Clothing delivered to the four independent cos.: captains' receipts for same enclosed. Burges' report of strength and condition of fortifications enclosed: "onely I observe that those Bastions where the breaches are expected have hitherto never required any reparation." No report of ordnance stores transmitted, because season of year does not permit it. According to best information, there are 900 or 1000 able-bodied Frenchmen in the several parts of the colony. On receipt of the S. of W.'s letter, C. again summoned them to take the oaths: sends their

1. Direction reads "To [blank] Rapin," most provokingly: this may be the historian, "Rapin Thoyras."

answers herewith. Will enquire into the sentiments of those more remote, as soon as the season permits. C. has changed his opinion of them, little reliance to be placed on their friendship; but they will leave the country with reluctance; those who had gone out, have returned; for permanent improvement, English inhabitants are adsolutely necessary. Strength of the four independent cos. : C.'s, 55 men; Williams', 65; Armstrong's, 43; Aldridge's, 66; or 219[1] in all. These, if recruited and kept full, with the assistance of the train, are necessary to hold the place in peace and war. Affairs of garrison have been so confused and lessened the exchange of bills that they have been frequently compelled to dispose of them, for bare necessaries, at much less than par: hopes this will justify non-payment of Mr. Manby, Judge Advocate, or any other charges until credit is better and exchange higher. Account of "ye Canada Cloathing" shows how it has been disposed of and what remains in store: remnant "Soe much damnifyed" as to be worth little or nothing. Had C. not disposed of it to the gentlemen of the garrison, whose necessities forced them to buy it, the king would have lost more than one-third discount allowed on first cost," for wch we do all return o^r Most hearty Thanks." Provisions came for garrison by "King George" on Oct. 11 last; found by survey to be good "Save what appears to be otherways." Allowing for what is said to be on the "Prince of Wales," C. finds wanting only 56 lbs. biscuit, 3 galls. oatmeal and 9¾ pints oil in lieu of butter to complete 6 mos. provisions for 371 men, full allowance. Accounts of this and former supply sent by "Prince Frederick," Oct. 25, 1715; and of the New England provisions, expended since balancing of accounts, sent by Borland from May 1, 1714, to Dec. 23, 1715, "both days Inclusive" from which date the British account begins, both in Capon's time ending, May 4, 1716 and Shirreff's time from latter date till Oct. 23, 1716, with estimate of how far provisions in store will bring the garrison, have been sent to Secretary Stanhope, in response to his command, dated May 6, 1716. C. would now have forwarded duplicates, if time permitted, the winter is far advanced and the sloop pressing 1716.

1. Evidently a slip for 229.

1716. to be gone: will do so by very first opportunity; and also duplicates of accts. from Oct. 24 to Dec. 24, 1716. Transmits accounts of all moneys spent and received, signed by captains of their respective companies. Will take care to transmit muster-rolls with as much strictness and exactness as opportunity offers.

Capt. Lawrence Armstrong and Ensign Tho. Button have been absent from garrison, on leave since Nov. 5, 1715, "and that by a furlow from my Selfe," dated June 8, 1715. Francis Spellman, fort-major allowed six mos. leave to go home, on his private affairs. Manby also had four mos. leave for the same reason, to go to Boston (N. E.) from May 10, 1716. C. has extended his leave, (at M.'s request) three mos. Neither have returned. C. has ordered Manby and Capon both home.

Has informed Ens. Erskine and the rest how their case has been decided, and they take rank accordingly. C. has always followed Nicholson's rules and orders: if any further instructions are judged necessary, he will inform the S. of W.: has received the Acts of Parliament. Articles of War and the other instructions.

(initialed)

T.—C

P. S. Shirreff, present commissary, having represented that there was a wastage every day in issuing each species. C. ordered a survey; account of which is enclosed signed by the surveyors. C. wishes instructions on this head.

Caulfeild to Manby. [84

Dec. 24. Acknowledges receipt of M.'s dated Nov. 2, 1716. Sorry for the time lost in this unfortunate place, of which no one has more reason to complain than C. Would like to assist M. but prevented by the strictness of his instructions: must return M. home "Dr. for what you are charged, and my opinion of the reasonableness of it being allowed you by y^r Governmtt for y^r Services to the Garrison Shall not be

1. Direction reads "To Mr. Manby deputy Judge advocate v.— by ye Sloop Caulfield.'

wanting on y^t head." M. is hereby ordered home; and will 1716.
reply to C. as soon as possible that his (M.'s) answer may be transmitted to the Secretary of War. Encloses paragraph from S. of W.'s letter, and C.'s answer to it.

Extract from S. of W.'s letter:—His majesty being informed that Mr. Manby who was sent out as Deputy Judge Advocate has received no pay out of the credits arising by the exchange of the pay of the garrison, which was judged sufficient to meet this and other charges not provided for by the establishment, C. is required to give reasons why the intended fund is deficient, and in case he thinks they are such as will justify the non-payment of so small a charge as the pay of a Deputy Judge Advocate, C. is to order M. home.

C.'s answer to above: Difficulties of garrison due to confused state of things at home, which has so lessened the exchange of public and private bills, that we have been frequently obliged to dispose of them at much less than par, to support ourselves and the troops, "whose provisions hitherto amounts to considerably More then there pay." Therefore they do feel justified in not paying Manby and the other charges, until their credit is better and exchange higher than at present "by a more punctuall complyance with o^r Bills at home."

Caulfeild to Board of Ordnance. [85

Acknowledges receipt of theirs of Feb. 27. 1715: thanks Dec. 24.
them for their "ready compliance" in the matter of Skene. As C. cannot be repaid for provisions supplied to the people of the Train, amounting to £79. 4s. 4d. stg. besides what was supplied of the British provisions, as per. acct. transmitted, C. prays that it may be "stopt from their grocery (?) subsistance" and paid to Jno. Mulcaster, the garrison's agent who has all the accts.

(initialed.)

T: C

Caulfeild to Jekyll. [86

1716-17. Jan. 1. Acknowledges receipt of J.'s by Harrison: can give him small prospect of those affairs; such gentlemen as he has had to make a demand upon, excusing themselves on the ground "that it was gaming Money."

(initialed.)

T : C

Caulfeild to Stanhope.

1716. Dec. 24. Acknowledges receipt of S.'s commands by the victualling ship "King George" (Joseph Turell, commander) which arrived Oct. 11. Provisions surveyed and found good except what was otherwise and wanting; which C. hopes will be made up in the next. Supposing the provisions to conform to the invoice, and allowing for what is said to be coming on the "Prince of Wales," only 56 lbs. bread, 3 galls. oatmeal and 9¾ pints oil in lieu of butter or cheese lacking: will be full allowance for 371 men for 6 mos. By this opportunity transmits accounts of same, of former supplies per "Prince Frederick" and New England provisions from May 1, 1714 (from the balance of Borland's acct. "our former Victualler") to Dec. 23. 1715, both in Capon's and Shirreff's time, as clearly as possible. To make matters clearer, C. has annexed to Shirreff's account, each man's allowance, numbers victualled from time to time, and S.'s estimate of how long the provisions will last. For "ye good husbandry thereof &c," C. will always do his utmost. Annexed also companies, and individual accounts, with statement of bills and money drawn by C. "proportionably placed to each particular acco^ts as Methodically as I possibly could." If anything further is needed to settle the affairs of garrison, C. hopes it will be found at home, for most of the gentlemen who have drawn bills for their subsistence, or in anywise empowered others to receive the same, do like C., "referr themselves to ye Agent and theire respective attorneys for Satisfaction in y^t respect, I have been at vast expences, Since I have had ye Charge of this Governmt. occasioned by ye almost constant absence of ye Govr part whereof I have presumed to charge in S^d Acco^ts against wch I humbly presume there will be but few Objections, con-

siderin y^t what I have expended for the good of ye Service, 1716.
Since my being in this remote place of ye world is triple ye Money." Will always do his best to serve His Majesty.

(initialed.)
T : C :

NOTE : The same P. S. is appended here regarding wastage, &c., as in despatch to S. of W.'s. [80]

Caulfeild to Mulcaster. [*88*

Acknowledges receipt of M.'s dated July 26 and others of Dec. 24.
former dates by Harrison, who arrived here Nov. 15, with the clothing for the troops, forwarded in sloop from Boston. Clothing gives considerable satisfaction: only one sergeant's coat and two private's waistcoats being damaged, contrary to expectations; for the vessel was much shattered, having been almost wrecked in the passage. Provisions came per "King George," Oct. 11. last: accounts sent to Sec. of State; and to M.'s office,[1] with account of "Canada Cloathing &c." Would have sent M. duplicates of former, if time had possibly permitted, dated to Aug. 10, 1716. Hopes affairs will be settled: accounts clear, considering how many have been concerned in them and how long they have been outstanding. If anything is omitted, will M. please supply it that the garrison "may noe longer Lye under those inSupportable grievances." All thank M. for what he has done in that direction already; C. particularly grateful. C. and some others of the gentlemen, thinking M. should be reimbursed, have signed an instrument, of which an authentic copy is enclosed: blank left for Nicholson's signature.

(initialed.)
T : C :

P. S. Provision acct. shows what has been supplied to Train of Artillery. C. has written the Board of Ordnance, asking this to be repaid to M.; who is to be "as Sollicitous for it as possible." Is to credit C. with the balance due him when paid "and in relation to ye whole."

(initialed.)
T : C

[1] Reading doubtful; wording obscure.

1716. P. P. S. Some of the gentlemen charged in the acct. of N. E. provisions gave C. bills of exchange for same: when these come to M.'s hands and are duly honored, M. is to give the gentlemen credit and charge amount to C.'s acct.

Caulfeild to Borland. [89

1716-17. Jan. 1. Acknowledges receipt of B.'s with letter of B.'s father enclosed some time ago. Hopes he answered to B.'s satisfaction per Winniett: and that W. arrived safely. Thanks B. and hopes to be able to serve him or his father.

(initialed.)

T: C

P. S. Has mislaid copy of what he sent B. last: wants copies "that in case I doe not Send them, I may be in a Capacity, if need require to Send you Duplicates."

Caulfeild to Victualling Office. [90

1716. Dec. 24. Since arrival of "King George" (Joseph Turell, commander) has received another V. O. despatch dated Aug. 14, 1716, with bill of lading for 146 bags of biscuit on "Prince of Wales" (Peletiah Kinsman, master), making up six mos. full allowance for 371 men; latter not yet arrived from Boston, N. E. From computation made, finds only 56 lbs. biscuit, [illegible] galls. oatmeal and 9¾ pts. oil wanting.

(initialed.)

T: C:

NOTE: postscript regarding Shirreff and wastage again in full, as in despatch to S. of W. [80]

NOTE: The above is Caulfeild's last letter: follow two blank pages, then the heading, "The Comencement of Publick Letters from Lieut. Gover. Doucett," and documents given in brief below.

Doucett to Secretary of State.[1] [*93*

1717. Nov. 5. Annapolis.

Soon after D.'s arrival here, on Oct. 28, he was informed that the French inhabitants had never "own'd his Majesty as Possessor of this his Continent of Nova Scotia & Lacadie." :[2] D. therefore summoned the people to sign one of papers enclosed, promising same liberty and protection as the other inhabitants enjoyed, if they complied: if not, he could not let their vessels pass the fort to trade or fish along the coast. On which they drew up the other paper enclosed, which D. wishes were cleaner, but as ship was ready to sail had not time to get another signed. Many would sign rather than lose the fishing season, if it were not for the priests, who, seeing the plight of the garrison and weakness of the fort, tell their people that the Pretender will soon be settled in England and the province handed back to France. To cover their disobedience to King George, they pretend fear of the Indians, which is impossible, as the Indians here are entirely ruled by the French, who treat them like slaves. If orders could be sent from France to the governors of Canada and Cape Breton to suppress and severely punish any Indians or others who insulted the inhabitants of Nova Scotia, and copies of these orders sent to Annapolis and distributed among the French, it would tend to bring the French in. The place would be improved and the garrison would not lack cattle, grain and other necessaries, as at present.

(initialed.)

J D:

"A Coppy of one of Paper's enclosed to the Secretary of State and Warr

"Wee the french Inhabitants who's names are under written now Dwelling in annapolis Royal and the adjacent Parts of Nova Scotia or Lacadie formerly Subjects to the late french king who by the Peace [sign] concluded att Utrecht did by articles therein deliver up the whole Country of Nova Scotia & Lacadie to the late Queen of great Britain, wee doe hereby for the aforesaid reason, and for the Protection of us & our family's that Shall reside in Annapolis Royall or the adjacen

1. Printed A. A. 12 f. almost entire: not accurately.
2. Handwriting changes here: different from both hands preceding.

1717. [end of line] Parts of Nova Scotia or Lacadie now in Possession of his most Sacre [end of line] Majesty George by the Grace of God King of great Brittain & [sign] doe declare that wee Auknowledge him to be the Sole king of that Said country and of Nova Scotia & Lacadie and all the Islands depending thereon, and wee likewise doe declare most solemly Swear before Go [end of line] to own him as our Soveraign King and to obey him as his true & Lawfull subjects in Wittness whereof wee Sett our hands in the Presence of John Doucett Esq his Majesty's Leivt. Governor of Annapo [end of line] Royall this Day [blank] of [blank] in the year of our Lord 1717.

"A Coppy of the Answer to the above Declaration from the French, Sent to the Secretary of Warr & State.

"Nous soubsignez habitants de Lacadie Suivant les ordres que mon [end of line] le Lieutenant Gouverneur aplut nous faire publier de la part de [end of line] Majesté le Roy George à ce que nous aions entierement à nous déclarer a lesgard du Serment de fidelité qui nous est demandé [end of line] lesdittes ordres Nous Suplions Mr. Jean Doucet nostre Gouverneu [end of line] de vouloir bien considerer que nous ne Sommes que petit nombr [end of line] d'habitants et de vouloir bien faire assembler des Deputez de [end of line] autres Colonnies de Mines, de Beaubassin Et Cobequit pour [95] que nous puissions répondre aux demandes qui nous Sont faittes la chose meritant application nous faisant conoitre que c'est pour la derniere fois, nous ne pouvons repondre autres choses pour le présent Sinon que nous Serions prett d'effectuer la Demande qui nous est proposée aussi tot que Sa majesté nous aura fait la Grace de trouver vn moyen pour nous mettre a couvert des nations Sauvages, lesquelles Sont toujours prettes à faire toutes sortes de Maux comme il aparut assez Evidemment en plusieurs rencontres depuis la Paix ayant tuez et pilliez plusieures personnes tant anglois que francois aquoy nous prions Sa Excellence d'y avoir Egard et de presenter à Sa Majesté l'Estat ou nous Sommes que Si nous ne pouvons pas être a couvert de cette Nation nous ne Scaurions prester le Serment qu'on nous demande Sans nous Exposer a estre Esgorge dans

nos Maisons au premier Jour ayant ésté menacez cydevant 1717.
En cas qu'on ne put pas trouver d'autres Moyens, Nous Sommes prets de prester Serment comme quoy Nous ne prendrons point les armes ny contre Sa Majeste Britannique ny contre la France, ny contre aucun de leurs Sujets ou de leurs Alliez Ainsi Monsieur voila (?) le dernier Sentiment que les Habitans prennent la liberté [beginning of line] presenter á vostre Excellence ne pouvant faire autres choses [beginning of line] ur le present Signed by all the Inhabitants in this Neighbourhood."

Doucette to Craggs[1] [*95*

Arrived here Oct. 28; has no instructions: hopes that what he has done will not be taken amiss. Assembled the French to sign paper (details as in previous letter to S. of S.) "in answer to which they Drew up [leaf torn] other Paper Inclosed and signed it in this Dirty manner, that I blush [leaf torn] send your honour and Judged I would not have done it, had I more time [leaf torn] gett (?) another Signed, but the Ship that Brought the Provisions being [leaf torn] to Sail, I would upon no account loose the opportunity—" Fort in a very bad state: run to ruin: covered way not much higher than a man's knee: not one palisadoe round in the same or about the fort. The body of the place would be in good order if the wide breaches in two of the bastions occasioned by the rain last winter were made up: "they are perfect roads to the Fort that Several men Might March in a Briest att, and the only high way for our Deserters, and hardly a Carriage upon any Bastion able to beare the Gun that's upon them, the Barracks & houses are very much out of repair and will not keep out the Least bad Weather and what makes this more intolerable to the Poor men is their want of Bedding which they have been without these five years." No Surgeon's chest; the last sent for this garrison was detained at Placentia: the men so disgusted that they cannot get their account for "Subsistance" settled with their officers, that "wee dare not trust them with theirs arms but when they mount Nov. 5. Annapolis.

[1] Direction at beginning of Letter reads: "The Right Honoble James Craggs Esqr Secretary att Warr."

1717. Gaurd." D. has mustered them, pacified them somewhat and sent the muster-rolls home. Hopes something will be done for them.

(initialed.)

J. D:

Doucett (?) to Philipps. [96

Nov. 5. Annapolis. Arrived Oct. 28; concerned to find fort almost demolished: men continually in mutiny for their pay: D. has told them that the King has heard their complaints and will give redress. However, the commanding officer of each company keeps their arms, delivers them only when the men mount guard and takes them back when they dismount. "As to their cloathes they are indifferently Well and only Some Sloven's that want's Coats." Expectation of new clothing in the spring will make them hang on the better. Must have an entirely new issue of arms: what they have are not fit for service. "I dont find a Bayonnett or——"

END OF MS. 15.

GOVERNOR'S LETTER-BOOK, ANNAPOLIS.

1719-1742.

NOTE: This document is entered thus in the Akins catalogue, p. 6. "14. 1719-1742.—Original Letter Book of the Governors at Annapolis, containing letters to the Board of Trade and Secretary of State, with Letters addressed to the French Deputies &c., &c., from January 2, 1719, to June 8, 1742, bound in Vellum, folio." The document consists of 149 leaves, paged from 1 to 216, unpaged to 264: follows a blank page; and then come six pages (indicated) of papers signed by Philipps, but reversed, beginning at the end of the book. Then come five columns of index (contemporary) carried as far as p. 187. The book though stained in places is in a good state of preservation, except for the pencil marks and scribbling of some ungrammatical transcriber. The handwriting is large and fair, and at first the lines and margins have been ruled, the pages numbered, and the contents of each letter indicated at the side; a great contrast in all these respects to MS. 15. Some part of it has been already printed in the "Nova Scotia Archives"; wherever this has been done, the fact is noted.

Philipps to Craggs. [*1*

1719. Jan. 2. Boston.

Arrived in October last, but unable to proceed to Annapolis, as navigation is impracticable. Paper enclosed showing practices of priest and Jesuits there; though fathered on the Indians, it is the work of Père Vincent and Père Felix, inveterate enemies of the British. They rule at Minas and Chignecto over 400 families, who acknowledge no other authority and will neither swear allegiance nor leave the country. Garrison at Annapolis too weak to send detachments. Advises removal of two companies from Placentia to A. and improvement of fortifications there. People prolific, and now is the time to take care of them. French fishing at

1719. Canso. West of England people to come in the Spring with many ships. New Englanders have many trumped-up grants of Indian lands in Nova Scotia, which cannot be improved by present claimants. Wants instructions. Hopes to be able soon to give an account of the country.

(signed.)
R: Philipps

Philipps to Board of Trade. [2

Jan. 3. Boston. Arrived in October, but unable to proceed to Annapolis, as navigation of B. of Fundy impracticable; and, after landing at Canso, forced to return. Will set out again in the Spring. After all that has been done at the court of France, the priests and Jesuits will remain an obstacle to our happiness, especially Vincent and Felix, governors of Minas and Chignecto. Will publish the King's gracious intentions, but the best argument will be a reinforcement of troops. Garrison at Annapolis only five weak companies; cannot detach any force against them. Three companies should be brought from Placentia, and works strengthened. Population computed at above four hundred families, and very prolific. French have been fishing at Canso with guard, best fishing in the King's dominions. Presents for the Indians should be sent on forthwith. Surveyors for N. S. to mark out the King's woods, a matter of time and expense. Many grants of land in disputed territory between New England and N. S. are especially in favor of the President of this college, and many Indian grants never properly sanctioned.[1]

(signed.)
R Philipps

Philipps to Josiah Birchett, Secty to Board of Admiralty. [3

Jan. 3. Boston. To explain Capt. Smart's failure to land him at Annapolis. Long delay in preparing to sail, but with all care and two of the best pilots on board, it could not be effected, to Philipps' expense and disappointment. Desires commissions for proper holding of Admiralty courts. Col. Gardner to wait on B. for the purpose.

(signed.)
R. Philipps

1. Printed A. A. 16 f. in part.

Philipps to the Board of Trade.

Ships detained over two months. Enclosed petition for land as above. Many other such claims. 1710. Feb. 26. Boston.

(signed.)

R. Philipps

Philipps to Inhabitants of Minas. [6

Proclamation of King's intentions enclosed: religious property and civil rights to be assured to them. Urged to take the oath of allegiance. Answer expected by Father Felix and four deputies.[1] Ap. 28. Annapolis.

(signed.)

Rich[d] Philipps.

Philipps to Inhabitants of Chignecto.

Same as above. Sends fifty hogsheads of wheat to be sold among them.[2] Ap. 28. Annapolis.

(signed.)

R. Philipps.

Philipps to Inhabitants of Annapolis. [7

Six deputies to be appointed from the inhabitants of Annapolis to confer with Philipps on May 4, in regard to proclamation.[2] Ap. 30. Annapolis.

(signed.)

R. Philipps.

Philipps to Père Justinian Durand.

Ordered to read enclosed proclamation to congregation at its fullest and affix to church door, that no one may pretend ignorance of it. Ap. 30. Annapolis.

(signed.)

R. Philipps.

Philipps to Inhabitants of this River (Annapolis) [8

Six deputies from the inhabitants of Annapolis to confer with Philipps on May 4 in regard to proclamation.[3] Ap. 30. Annapolis.

(signed.)

R. Philipps.

1. Printed in full, A. A. 21 f.
2. Printed A. A. 22.
3. Repeated with slight changes of wording from opposite page.

Philipps to Durand.

1719. May 2 O. S. Annapolis. Surprised at his absenting himself without leave. No reason for so doing. Both the inhabitants and Durand will be treated with mildness.[1]

(signed.)

R. Philipps

Philipps to Durand. [9

Ap. 30 N. S. Annapolis. Ordered to read enclosed proclamation to congregation at its fullest and affix same to chapel door that none may plead ignorance of its contents.[2]

(signed.)

R. Philipps.

Savage to Gyles Hall Esq. at Canso.

May 9, Annapolis. Formal instructions as Justice of Peace. Commission to be read publicly, book kept of proceedings, and appeals allowed.

(signed.)

A^r Savage Secry.

Philipps to Inhabitants of this River and Minas. [10

May 18. Annapolis. People of Minas cutting a road from their settlement to Annapolis and asking inhabitants of latter place to assist, without leave of Philipps. Design suspicious. Ordered hereby to desist.[3]

(signed.)

Richd Philipps.

Savage to Thos. Richards at Canso. [11

May 25. Annapolis. Formal instructions as J. P. Oaths to be administered by Peter Proudie Esq. or in his absence by Gyles Hall. Book of proceedings to be kept, and appeals allowed; but this latter may be kept secret. P. S. To report also the proceedings of the French in Cape Breton.

(signed.)

A^r Savage Secry.

1. Printed A. A. 23.
2. Same in tenor as preceding; printed A. A, 23.
3. Printed A. A. 30.

Philipps to the French Inhabitants of this River (Annapolis) [*12*

Prudent Robischeaux and Nicolas Gautier not having the necessary qualifications as deputies, "as ancientest and most considerable in Lands & possessions," two others are to be chosen. 1720. May 20. Annapolis.

(signed.)
R. Philipps.

Philipps to St. Ovide de Brouillan Govr of Isle Royale, Louisbourg.[1]

Formal notice of Philipps' arrival and powers in N. S. Hopes that neither of them will do anything to impair the peace, such as encroachment on territory, or practising with the natives. Ap. 4. Boston.

(signed.)
R. Philipps.

Philipps to Col. Gledhill, Lieut. Govr of Placentia. [*13*

Scarcity of Provisions at Placentia, owing to non-arrival of store-ship. Sloop has been sent with beef, pork and bread. Proclamations enclosed for distribution. Major Mascarene's company to return in sloop, in charge of Lieut. George. If store-ship has arrived, Boudre is to be allowed to dispose of these provisions to meet expenses. Engineer from Britain to receive all assistance in construction of the works. No interference with the fishery by officers or men under any pretence whatever. Parcel of deals sent to stop leaks in barracks and magazine. May 4. Annapolis.

(signed.)
R. Philipps.

Philipps to St. Ovide de Brouillan, Isle Royale. [*16*

French inhabitants combining with the Indians to assert their native rights against the King's. Suspicious absence of Père Justinian, without leave. They have asked Philipps' leave to consult the Govr of Isle Royale on the matter. Per- May 14. Annapolis.

1. Above the address of this letter is the memo: "This lettr. ought to be entered in page (5) being omitted."

1720. mission granted, as Philipps does not doubt de Brouillan's advice will tend to preserve the peace.

(signed.)

R. Philipps

Philipps to Craggs. [*18*

May 26. Annapolis. Arrived here in the middle of April after wintering at Boston. Garrison found in good condition except a few old men; but fortifications bad. Several practicable breaches which ten men might enter abreast.[1] Visited three days after arrival by priest at head of one hundred and fifty men. Made him read proclamation. Priest stated that in Gen. Nicholson's time the people had agreed to remain subjects of France and retire to Cape Breton; they also feared the Indians. They can march off at their leisure, as the garrison is too weak to prevent them. Next day sent proclamation to priest to read to his congregation. Prompt answer returned. King's Council chosen, which ordered six deputies to be chosen to represent the inhabitants. Priest went to Minas the same night that he sent the letter. Two of the six deputies rejected as having no effects or possessions to lose. Inhabitants refused to alter their choice, and wished to send two of their number to C. B. for advice. Permission granted. Intrigues with the Indians. Chief of the River Indians (a small tribe) has come in, and been satisfied with Philipps' replies to his questions. Has not sent for other chiefs, as presents have not arrived. Inhabitants clearing a road to Minas, in order to retreat thither. Forbidden to do so. Deputies returned from Minas. Council resolved to send them away with smooth words, in order to gain time, and obtain instructions from England. Situation difficult. People cannot be made English, and will not remain quiet if the peace is broken. Believe only their priests, who are opposed to the Regent: danger also from the Indians. Two hundred Mohocks should be brought from New York to operate against them. Land at Minas very productive; but may be drowned by cutting dykes. Advises bringing in settlers from Newfoundland, and has sent invitations to this effect by

1. Printed from this out, A. A. 31 ff.

the provision sloop to Placentia. As he writes, the deputies have come in. Objects to schemes for selling the valuable eastern coast of this province. *ib.*

(signed.)

R. Philipps.

MEMO. [25] Letter of same date in same terms sent to the Board of Trade, with slight differences in address and subscription.

Philipps to George Treby, Secretary of War. [25

May 26. Annapolis.

Has reported the effective of the Garrison. Should be thirty-five men per company. Customary allowance in other regiments for Colonel, Captain, Agent and Widow, not made in this. Hopes he has not forgotten to include these items in present estimates. Has had no power to hold general courts-martial, since the expiry of the act (Mutiny?) on the 26th of March. Garrisons abroad must in consequence be six months every year without martial law. No report from Placentia for six months. Sends list of useless officers; wants them reprimanded or removed. Commends specially Broadstreet, a gentleman volunteer who has been most useful in the King's service, often going express as much as forty leagues through the woods at peril of his life. Wants "to reward him with a Coulors." His stay has been vexatious and expensive. The French inhabitants (non-jurors to a man) are very angry and plotting mischief.

(signed.)

R. Philipps

Philipps to the Board of Ordnance. [26

May 26. Annapolis.

Dispute here between the people of the Ordnance and the Garrison, settled in a satisfactory manner. Quarrel due to idleness, want of discipline, and strong liquors. Mascerene, whom he cannot sufficiently commend, has reported upon the fortifications, as it was necessary, in consequence of communicating new orders to the French and Indians, to put ourselves in a posture of defence. Most of the £200 put into his hands has been sent to Placentia in materials.

1720. Convinced that seat of government must be removed to the eastern coast. This such an out of the way place that a ship will not come here in a thousand years that is not sent express. The survey expected by the Board cannot be made without a sloop. Intends to appoint Mascarene on the boundary commission. He can make the survey at the same time.

(signed.)

R — Philipps.

Philipps to Caleb Heathcote, Surveyor General in N. A. [28

May 30. Annapolis. Any disorder here occurred before his arrival, and arose out of party quarrels. Collector's deputation had the assistance of a guard from the Lt. Governor. Collector a very diligent officer and does not need Philipps' countenance.

(signed.)

R. Philipps

Philipps to the Marquis de Vaudreuil, Governor of Canada at Quebec.[1] [29

June 3. Annapolis. Formal notification of his arrival and official position, and request to appoint boundary commissioners. His one desire is to obey instructions and keep the peace. Must send several copies of this by various routes, to make sure of one reaching its destination.

(signed.)

R. Philipps

Philipps to Craggs[2]. [30

July, Annapolis. Situation in regard to the French unchanged. Neighboring French Governors assisted by the priests trying to draw off the inhabitants. If left to themselves, they would conform to the English wishes, but they are told that the promise of enjoying their religion is a chimera, and that they will be denied their priests, like the Irish Catholics. English settlers might be induced in the spring to take up the lands the French intend to forsake. Danger to be apprehended from Indians, if French leave. As Nicholson's convention referred to

1. In French.
2. Printed in full, A. A. 35-37

should have been put into effect seven years ago, possibly the present government may not be obliged to make it good. Want of presents for the Indians has hindered calling them together. In the meantime, the French are poisoning their minds against the government. Owing to want of means the King's authority does not extend beyond this fort. Outside it is despised and ridiculed. Officers in Cape Breton advise the French here to apply to Philipps for form's sake, but if he does not grant their requests, to follow their own inclinations. Something should be done; but P. is shut up in the fort and cannot even prevent the clandestine trade between these settlements and Cape Breton. If he could arm a sloop when needed, it would be a great help, at little expense, (a hundred pounds or so,) while a station ship costs £3,000 or £4,000 per annum. Garrison needs also a hundred more men. Has written to the Governor of Canada, asking him to appoint boundary commissioners, but has received no answer. The trade of the province is in favor of Boston and consists of fish, fur, feathers and oil. From 80,000 to 100,000 quintals of fish are taken in one season by the N. E. boats for the Portuguese, Mediterranean and W. Indian markets. Fur trade carried on by four or five sloops, making three voyages in the year; they put off W. I. goods and N. E. provisions at a profit of 400 or 500 per cent. and pay no duty. They also work a coal mine at the head of the bay without even the good manners to ask the King's leave. Will send important minutes of council in next despatch, and apologizes for abundance of details. 1720.

(signed.)

R. Philipps.

Philipps to Board of Trade. [35

Memo. Same letter written with acknowledgment of receipt of proclamation.

Philipps to Thomas Richards, Esq. at Canso.

Wants to know if he has received J. P. commission: reminds him to report anything happening in the French

1720. settlements of C. B. N. England people have been buying lands of the Indians. Such purchase is disrespectful to His Majesty and is to be declared invalid; the lands will be sold to more deserving persons.

(signed.)

R. Philipps.

Philipps to George Treby, Secretary of War. [36

July, Annapolis. Reminds him of the necessity of authority to hold courts-martial. Mr. Mulcaster, the agent, has brought the garrison to the verge of mutiny, by withholding the pay. The balances due each man should be paid to Captain Gardner to be remitted to Philipps, so that the garrison may be at peace. Notes of the late Govr. Caulfeild for provisions are held here for four or five years. Caulfeild's executors agree with Mulcaster to withdraw C.'s claims on the government, if Mulcaster would settle C.'s debts in this country. A good bargain for Mulcaster who has kept back the money, and the honor of the government suffers. Prays that justice be done and the money paid over to Gardner. Commissary of the musters in Placentia dead. Wishes to have Broadstreet succeed him. Thanks for procuring King's leave to return to England. Will not use the permission until the province is in a more settled state.

(signed.)

R. Philipps.

Philipps to the Indians of St. John.[1] [38

July 27. Annapolis. Glad to see them assemble so promptly to hear the intentions of King George; wishes to live in peace with them, whatever may have been said to the contrary; is vexed that there has been irregularity in the spring and autumn sale of necessities; promises better arrangements in the future, and to protect them against other Indians. Will treat them like a father, as well as the French, if they remain faithful. The French are to enjoy their possessions and the exercise of their religion, but

1. In French: La Reponce de Son Excellence apapier que les Sauvages de la Riviere St Jean luy onte donné. In the margin:—His Excellency Speech to the Indians of St. John.

if they belie the English and try to draw away the Indians, King George will not allow them to remain any longer in this country. The Indians are to warn the governor of any conspiracy or treason they hear of. Hopes that they are pleased and that the Indians of Passamaquoddy will send in their chiefs to receive the same assurances of protection. Sorry he has no better presents for them; expects special gifts by the next ship. Their vessel is ready, the tide serves, and provisions, wine and brandy are on board. 1720.

(signed.)

R. Philipps.

Philipps to the Inhabitants of British River and Annapolis.[1] [*41*

In reply to their request for another missionary. Although their former pastor has left without permission, and without excuse, they may have another missionary, provided he is a man of peace, probity and good morals, and attends entirely to religious matters.

(signed.)

R. Philipps

Philipps to Secretary Popple. [*42*

Acknowledges receipt of letters of 26 Aug. last, with instructions for raising hemp and making tar, also acts of Parliament relating thereto. Aug. 6, Annapolis.

(signed.)

R. Philipps.

Philipps to St. Ovide de Brouillan, Govr of Cape Breton.[2]

Bearers of letter going to choose new priest. Takes opportunity to reply to de Brouillan's letter of the 7th ult. Passages in that letter seem to imply that de Brouillan thought Philipps acted on his own initiative in the proclamation and without the knowledge of King George. This a mistake; has author- Aug. 10, Annapolis.

1. Aux habitants de la Riviere Brittanique et d'Annapolis Royalle et des environs. In French: no date, or place mentioned, countersigned: Par Ordre de Son Excellence. Ar. Savage Secry.

2. In French: Translated, A. A. 38 f.

1720. ity for every article in the proclamation. Permission to leave the country given to the settlers both there and at Placentia. The latter conformed to the requirements within the stated time, the former did not, and therefore cannot claim this privilege now. They think they have more right here than the King. Demands justice on Maurice Vigneau, who obtained leave to go and fish on the coast, as well as provisions and necessaries, on a promise to pay on his return, but has now withdrawn to Cape Breton. Usual assurances of good faith.

(signed.)

R. Philipps

Savage to Thos. Richards at Canso. [45

Aug. 22, Annapolis. Governor expects an account of the ships, boats and men fishing at and about Canso, quantity of fish taken and the behavior of the French; also of their fishery at Cape Breton.

(signed.)

A^r Savage

Philipps to the Four Deputies at Minas.[1]

Sept. 9, O.S., Annapolis. Surprised at the news (brought by Broadstreet) that Mr. John Alden had been robbed in the presence of the inhabitants, who might have prevented it. A poor return for his mediation on their behalf with the King and extending their time for deciding by four months. Outrage committed by eleven savages, five of which were mere children. Demands the presence of the four deputies to explain. No lame excuse will be accepted. The Indians at Minas are to be brought together and an explanation of their conduct obtained. The King wishes to live in peace with them. A plain, straightforward answer expected at once.

(signed.)

R. Philipps.

Philipps and Council to the King.[2] [47

Sept. 27, Annapolis. Representations to the government regarding the present situation. 1. The French regard their allegiance to France as

1 In French; direction reads "Aux quatre Deputez des Mines."
2 Printed, A. A., 55-57.

indissoluble. Priests tell them so. 2. Continuing to plow and till, &c., they show their contempt for this garrison; they rely on their own numbers and the Indians. 3. Inhabitants and Indians guided by French Govr in C. B. and by their priests. Their intentions mischievous, as shown by descent on Canso and plundering sloop at Minas. 4. King's authority does not carry beyond the guns of the fort. Therefore, at least 600 more men are needed with stores, tools, &c. Two hundred men needed at Canso, which should be held and fortified. Four hundred men at Minas; after fort is built, part may be detached to Chignecto. Post at Chignecto important on account of the clandestine trade with C. B., and because the French intend to have a fort on St. John's Island. The surplus men should fortify a post at Port Roseway, Lattane, Marligash or Chibucto. Besides a man-of-war, two armed sloops of about fifty tons each are needed to act as packets, guards and transports. 1720.

(signed.)

R. Philipps.

subscribed by the Council.

Philipps to Treby. [*50*

Mentions foregoing despatch and begs that the troops may be sent early. Sept. 27, Annapolis.

(signed.)

R. Philipps

Philipps to Craggs.[1]

Indians give out that the outrage at Canso is in reprisal for what was taken from the French by Capt. Smart. Plain that the French are hostile, and the Indians their tools. English fishermen driven from their stages to the boats at dead of night by the Indians, their property taken by the French and three killed. Sent sloop to C. B. but got no satisfaction. Returned to Philipps with five French prisoners, who had been captured with English property. Examinations of prisoners

1. Printed in part, A. A. 49-52.

1720. enclosed. Has done everything possible to quiet the Indians. Out of pocket above £150 in presents to them. Convinced that £100,000 would not keep them faithful, as long as the priests retain their ascendancy over them. Indians assemble punctually twice a year and receive absolution conditionally on their being always enemies to the English. Indians of St. John's River, the most considerable tribe, have had a conference with him. Man-of-war on this station has lain all summer in Boston Harbor; should have gone to Canso. Eleven Indians flushed with success, plundered a New England sloop at Minas, inhabitants not interfering. Has written for an explanation. Must tell him plainly that there is no hope of settling the province without much stronger garrison. Council of same opinion.[1] Inhabitants will not swear allegiance, and have evidently no intention of leaving the country. Description of the people and province enclosed.[2] Better to hand the country back to the French than be content with the name of government only. Copy of reply of Govr of Canada to proposal to appoint boundary commissioners enclosed. Minutes of council also transmitted. French method of colonizing is by means of private companies &c, and not through the Crown direct. This is now going on in the Island of St. John, hemming in English colonies from Cape Breton to the Mississippi. Englishmen might do the same.

(signed.)

R. Philipps.

Memo. [56

Same letter written to Board of Trade, with different (formal) conclusion.

Postscript.[3]

Before letter could be sent, the answer of the French at Minas received. Copy transmitted. Jesuitical composition, work of priests, as the inhabitants are incapable of such a thing. As against what they allege, Broadstreet was sent to Minas as a preventive officer to observe relations with Cape Breton. Had to return; could get no guide, and came alone.

1. Document marked 5 enclosed, is *Philipps and Council to King.*
2. Mascarene's statement, printed A. A. 39-49.
3. Printed A. A. 52 f.

They allege a grievance, and pass over Philipps' indulgence in extending their time. All this the effect of the proclamation. French think Philipps alone responsible for it instead of the British Government. They should have been told this eight years ago: but now is a good time to establish the King's authority. 1720.

(signed.)

R. Philipps.

Philipps to the Fishery at Canso. [*58*

This letter by Major Armstrong received. Philipps thought man-of-war was at Canso. Capt. Smart had orders to stay there before P. left London. Sent to C. B. to obtain redress and has despatched men under Armstrong with arms, ammunition and provisions to take possession of the fort they are erecting, to hold it till their return in the Spring. Sloop proceeds with part of the force; schooner remains with Armstrong until store-ship arrives. Recognizes importance of Canso: will do what he can for them. Armstrong will allot them beaches and garden-plots to be confirmed formally by P. later. Oct. 22, Annapolis.

(signed.)

R. Philipps

Philipps to Armstrong. [*59*

Lieut. Jephson long confined[1] in the garrison, starving with family of small children, pay being garnisheed for debt, is delivered to A. at latter's request as prisoner, to go with him to Canso, as easier to live there. Jephson must be forthcoming when wanted. Oct. 24, Annapolis.

(signed.)

R. Philipps

Philipps to Commissioners of Customs.

Two quarterly accounts and one register transmitted. Trade considerable, by four or five sloops from Boston, bringing English woollens and W. Indies goods for furs and feathers. Value £10,000. French settlements up the Bay carry on clandestine trade with C. B. Garrison too weak to prevent Nov. 24, Annapolis.

1. For want of the legal number of officers to hold a general court-martial and give him a regular trial.

1720. them. Collector here a good officer, but salary is small and necessary expenses great; should have a shallop and be on the same footing as most N. England collectors. P. has appointed naval officer *pro tem.* capable and of good character; and has taken his bond for £500.

(signed.)

R. Philipps

Philipps to Craggs (and Board of Trade.) [61

Nov. 24, Annapolis. Duplicates or copies of papers sent on Sept. 27, again enclosed. Company sent to hold Canso till the return of the fishermen in the Spring. Sees daily the greater need of convincing the inhabitants that this is an English province. Plans of forts transmitted; estimated cost £3000. Hopes for supplies and instructions in the Spring.

(signed.)

R. Philipps.

Savage to John Cawley, Marblehead. [63

Nov. 26. Annapolis. Letter goes with master of sloop, "John," cast away (with detachment for Canso) on Grand Manan. Boudre's sloop will sail for Grand Manan in a few days for detachment. Major Armstrong sails this day in Cawley's schooner with rest of detachment for Canso.

(signed.)

A^r Savage.

Philipps to the Board of Ordnance.[1] [26

Dec. 28. Annapolis. Plans submitted for securing province no doubt very different from those first projected by the Board. French have increased and become insolent: disregarded proclamation that they must swear allegiance or quit the country. Board may cut down estimates, but they must see that the measures first proposed are inadequate. P. aware how impolitic it is to urge expense upon a government; but feels it his duty to do so Expense really trifling and the present engineer (Mascarene) can make £50 go as far as £500 under the old system. Two

1. Extract printed, A. A. 58 f.

regiments not too many to defend a province as large as New England and New York put together. P. is on good terms with the Indians except the few concerned in the late outrages. Even the peaceable ones promise amity only as long as peace continues between England and France. Good policy to put all the work into one year. French could be made to help (as punishment) and Indians would curry favor. While not presuming to enforce the judgment of the Board, P. has the advantage of being on the spot. Scarcity at Placentia obliged him to withdraw one company from it, and has sent one company to secure Canso for the winter. 1720.

(signed.)

R Philipps

Philipps to Secretary of War. [66

Begs to have Armstrong's request for six months' leave in England (to recover his health) rescinded. A. has had no sickness since he left England, except the toothache. P. should be consulted on such matters. He never had enough officers to hold a general court-martial (though there is frequent need for one.) A.'s example will have a bad effect. Jan. 4, Annapolis.

(signed.)

R. Philipps.

Philipps to Popple, Sec'y to Board of Trade. [67

Thanks Popple for his [illegible] acknowledges receipt of answer to his Boston despatch [illegible] French have been stirring up the Indians all summer, spreading false reports regarding the regent, etc; but the savages are too cunning to begin a war in which the French cannot join. This province will be hard beset when war does break out French settlements in continual intercourse with Cape Breton, and P. with a weak garrison thirty leagues away, is unable to prevent it. Board of Trade favorable to new plans; but Board of Ordnance wedded to their small redoubts or towers,[2] which can be isolated and cannot send out detachments when necessary. Thankful for

1. Printed (partly), A. A. 53 ff.
2. Q. Blockhouses?

1720. sloop provided for province. Western boundary of this province not at St. Croix river but to the Kennebec or Penobscot, as shown by Southack's map and the preamble to all Subercase's passports.

(signed.)
R. Philipps.

Philipps to William Winniett.[1] [70

1720-21. March 4, Annapolis. Inhabitants of Minas coming to reason, as well they might, in view of the privileges they enjoy. Try to make the savages bear the blame of their own wicked acts. Winniett to make known the literal contents of following paper.

(signed.)
R. Philipps.

Statement to People of Minas. [71

Committee of the Council could not accept the old frivolous excuse for outrage at Minas (fear of the Indians). Because: 1) their letter of excuse could not be considered as satisfaction, as the Indians rarely if ever commit depredations except at French instigation: 2) instead of the proper deputies, a poor man came with a frivolous letter, and left it in a strange manner, together with an insolent letter signed by two or three Indians but dictated by the French; 3) and because restitution has not been made to Alden for his losses. The people of Minas are expected to sign a paper acknowledging their guilt, and giving assurances of good conduct in the future. Document to be transmitted to the Governor by the deputies and Father Felix. P. S. As some deputies are said to have left the province, the inhabitants may choose others in their place.

(unsigned.)

Philipps to Armstrong. [72

1721. April 4, Annapolis. A.'s letter to hand by Boudre in the "Charlemont." Assembly of Indians at Antigonish, the usual Easter meeting. Need not fear attack from them. The "Adams" loading with provisions for you when Boudre arrived; but this could not have

1. In French, translated, A. A. 59.

2. Dated as letter to Winniet at beginning, but with no address: with note, "under the above letter was wrote vizt" In margin, "Examination of two Messengers from Penis." In French, translated, A. A, 60

been foreseen. Warlike stores (as can be spared) sent with engineer's report. Fishermen ought to help A. to strengthen his fort. Account of arms, &c. lent from this magazine to the fishermen must be obtained from them. Five months' provision on new allowance.[1] No pease left, but A. can borrow from any sloop. Flour sent instead of bread, but as A. has a good baker and an oven, he can shift as well as P. Refuses to deduct from company's account cost of provisions damaged by wreck at Grand Manan, as they were made good at the time. Expects to be in Canso in six weeks at farthest; Capt. Durell expected daily, to call for him. Will bring sloop building in Boston with him. Vexed that the clothing has not arrived, except shoes, stockings and shirts, which are forwarded at once by Boudre. Laying out of the beaches &c. at Canso, to be only conditional, and subject to P.'s approval. Surprised that A. has applied for leave, and not apprised him of the fact. This "is like the rest of the regard you have shewne me in severall Instances, however as I do not heare your health is in any danger, hope you will desire a Reliefe before you stir." 1721.

(signed.)

R. Philipps.

P. S. Bombardier sent to take over all military stores. A. should have returned the 50 firelocks he reports out of order, to be refitted here. A register of all vessels should be kept with tonnage, catch of fish, where they belong and for what market. All vessels should be regularly entered and cleared to prevent illicit trade. Masters of vessels to be called together and their opinions obtained.

Savage to John Cawley. [75

In regard to a cable and anchor hired by Peter Boudre of the sloop "Charlemont" from the sloop "John." Cawley may expect B. at Canso in six weeks' time.

(signed.)

Ar Savage.

1. "To each man per week bread 7 pd. Beaf 7 lb. or Pork 4 lb. pease 3 pints, butter 6 ounces or cheese one lb. flowre one lb. or rice half a lb."

Philipps to Inhabitants of Annapolis River.[1] [76

1721. Ap. 10, Annapolis. In reply to their request for permission to sow their fields and a guarantee that they may reap the harvest, or at least retire to C. B. Reminds them that P. has extended the time for them to make their submission in. As he has written to Court about them, and has received no reply, a final decision must be deferred. Assures them that as far as lies in his power, they shall enjoy their possessions &c. unless he receive positive orders to the contrary.

(signed.)
Richard Philipps.

Philipps to Inhabitants of Cobequid.[2] [78

Ap. 12, Annapolis. Charles Ribicheau has represented that one deputy is insufficient. Inhabitants therefore empowered to elect three others as well, to carry out the instructions of the Govt. One will be enough to send to receive orders. The names of those who refuse to obey to be sent to the Govr. Expenses of the deputy on his journey to Annapolis to be paid by the inhabitants; those who refuse are to appear before the Governor and give their reasons.

(signed.)
R. Philipps

Philipps to Inhabitants of Minas.[3] [79

Ap. 12, Annapolis. Deputies of Minas having been examined in the matter of Alden's sloop, wish twelve deputies instead of three, as a preliminary to making satisfaction. Power given to increase their number. Those who do not submit to their decisions will have to do with the Governor. Three deputies sufficient to send. Entitled to money from the inhabitants for their travelling expenses.

(signed.)
R. Philipps.

1. In French: countersigned: "par Ordre de son Excellence et avec l'avis du Conseil du roy. Ar. Savage Secretaire."

2. Proclamation: in French: countersigned: "par Ordre de son Excellence Ar. Savage Secretaire,

3. Proclamation: in French; countersigned, Par Ordre de son Excellence par et avec l'avis du Conseil du Roy. Ar. Savage Secretaire.

Philipps to the Inhabitants of Minas.[1] [*81*

The twelve deputies having come in, and having been examined in regard to the pillage of Alden's sloop, the old excuse forthcoming that they were afraid of the savages (300 or 400 of 11 persons). They have produced a paper signed by Alden, exculpating them. Alden states that he understood all that the paper contained was a declaration that he did not know of the inhabitants inviting the savages, that no *habitant* took any goods (although they were bought cheap from them afterwards), and apparently spoke in his favor, but he believes that if they had made the least resistance, nothing would have been easier than to prevent the outrage. These excuses not satisfactory to Mr. Alden or himself. 1721. Ap. 12, Annapolis.

(signed.)

R. Philipps.

Philipps to the Inhabitants of Cobequid. [*83*

Glad to know that they had no part in pillaging Alden's sloop: hopes that they will continue their good behavior. Ap. 12, Annapolis.

(signed.)

R. Philipps.

Philipps to the Board of Ordnance.

Encloses examination of Lt. Washington (on repeated complaint of Mascarene). Jealousy and umbrage among different corps. Has daily to overlook things which he should not, for the sake of peace. P. is "tender of every mans bread." Washington to be left to the Board to judge or reprimand. Keeps a different sort of discipline among his own people. P. has no reason to alter his previous recommendations. Engineer has done nothing since the fall but small jobs, repairing chimneys in these tottering buildings. Expects the sloop from Boston, and to go on a survey with the Engineer (Mascarene). May 8, Annapolis.

(signed.)

R. Philipps.

1. Proclamation: in French.

Philipps to Secretary of State.[1] [98

1721. Situation unchanged since last dispatch. The French have sent deputies to sue for pardon; and promise to pay damages for allowing the pillage of Alden's sloop. If they have to leave the country, it will be as the Jews marched out of Egypt, with their own and with what they can borrow. Best plan is to build forts among them either to overawe or protect them. Then they will settle down. In order to establish civil government, the Govr. and Council have resolved themselves into a court to meet four times a year. The notion that martial law alone prevails here, hinders settlers from coming into the country. Sloop with detachment for Canso wrecked on the way but no men lost. Another sloop was sent at once with provisions and took them on. The fishery is not likely to be disturbed this summer.

(signed.)

R. Philipps.

Philipps to the Board of Ordnance. [8

Aug. 16, Annapolis. Complaint against the officer of the B. of O. at Annapolis. He has been fraudulently drawing supplies. P. knows he ought not to complain when he has power to punish, but wants to have as little as possible to do with "People of such Vile and wicked principles." The insolent conduct of this gentleman has hindered the civil government. Government sloop arrived only three days ago. No time for survey of eastern coast this summer. P. and the Engineer intend to go direct to Canso and prepare a plan for the fortifications of it. Not one carriage in Annapolis that will stand once firing: nearly one entire curtain has crumbled down this summer. Board urged to make necessary repairs.

(signed.)

R. Philipps.

Philipps to Board of Trade. [9

Aug. 16, Annapolis. Acknowledges receipt of letters of July 2[illegible] and Sept. 29, 1720. No change in the situation. Governor of Boston is

1. Printed in part, A. A. 55.

lately received an insolent letter from the savages; advisable to arm in case of a rupture. Possibly only a drunken inspiration, which, when they hear of troops marching, may "end in a peccavi." Government sloop built at Boston arrived only three days, instead of two months, ago. Little can be done to survey the eastern coast this season. P. and Engineer going to Canso to plan its fortifications. This "small Province sloop" not able to transport the garrison from Placentia; and a larger vessel must be hired. P.'s lot as governor the hardest of all; he has no tax &c. to draw on for necessary charges, and has "only the justice of the Government to trust to in passing my Account." Presents for the Indians have arrived, after having been detained all winter at Boston. Intends to assemble the chiefs and distribute the gifts. Will write again from Canso. 1721.

(signed.)
R. Philipps.

Armstrong to the Deputies of Minas.[1] [93

Invited to come to Annapolis with their priest Gaulin, to discuss taking the oath of allegiance. 1727. June 1, Annapolis.

(signed.)
L. Armstrong.

Armstrong to the Chief of the Passamaquoddy Indians.[2]

Is informed that there are twenty-one canoes of Indians at Passamaquoddy afraid to go on the fishing at Canso, on account of the rumor that two English ships had fired on some Indians in the "passage de Fronsac." No truth in it. English wish to live peaceably with all Indians. June 17, Annapolis.

(signed.)
L. Armstrong.

Armstrong to the Indians of St. John &c.[3] [95

Report that two English ships had fired on Indians, untrue. July 29, Annapolis.

1. English on [93: on [94, "The aforegoing Letter was put in french & Translated thus."
2. In French:
3. "Lettre Circulaire envoyé aux Sauvages de St. Jean, Penbagouite, Cap Sable, Marligash, Minas ou Checabnacady & Beaubassin."

1731. Invites the Indians to visit him in the fall to receive the marks of his friendship.

(signed)

L. Armstrong.

Philipps to Wm. Shirreff, Secretary at Annapolis.[1] [9

July 21. Annapolis. No objection to Lt. Governor Cosby having a grant of garden plot, provided no one else has a claim to it. His request for grant of land at Canso, deferred.

(signed.)

Wm Shirreff Secy. R. Philipps.

Shirreff to Philipps.[2]

July 24. Annapolis. On enquiry, S. has found that the heirs of Sir Charles Hobby, Lewis Allen, one Marquise and the Pobomcoups all claim some part of the garden. Govr Armstrong says he has a deed in favor of Sir Charles. In consequence, Cosby is willing to defer this claim, while pressing the claim for Canso.

(signed.)

Wm. Shirreff.

Philipps to the Council.[3] [9

July 24. Annapolis. Called them together to ask their advice; first, on Gov Cosby's request for a grant of land at Canso; second, petition of Lieut. Handfield "of my regiment" asking for garden behind the house he has built. Urged to consider the latter favorably.

(signed)

R. Philipps.

Philipps to Shirreff.

July 24. Annapolis. No objection to Handfield's request for grant of land, pro

1. Above address: "Governor Philipps's letter to Mr. Shirreff In answer to that of Lvt. Governor Cosbys, as upon file" Countersigned by Shirreff, as noted as "Read in Council 24th July 1731."

2. Memo. "Mr. Shirreffs Answer to the above letter:" and also noted read in Council July 24, 1731.

3. Below signature: "Truely Recorded by Wm. Shirreff Secy and Read in Council.

vided no one else has a legal claim to it. S. to inform himself on the point before the "Council Sitts this afternoon." 1731.

(signed.)

" for R. Philipps Eras : Jas : Philipps,

July 24th, 1731. A true Record of the Original by Wm. Shirreff Secy. Memorandum That in answer to the Immediate preceeding letter Mr. Shirreff acquainted the Board with what he had heard Concerning the Said Grant as Mentioned in ye minute of 24th July 1731."

Armstrong to the Deputies. [*98*

Formal notice of his "Return and arrival here." Good conduct expected from them. A. has superseded Philipps, who is recalled. Proclamation enclosed, which they are recommended to obey. Scarcity of grain removed. Messenger sent with this, to ascertain what wheat and pease can be secured for the garrison. Two hundred quintals of biscuit and sixty hogsheads of pease needed. Will pay through Bessell, Donald and Blin. Nigan Robichaux to purchase sheep and black cattle among them. Hopes they will make no difficulty. Aug. 30. Annapolis.

(signed.)

Wm. Shirreff Secy L : Armstrong.[1]

Armstrong to Deputies of Piziquid. [*99*

Reproaches them with incivility and ingratitude for not answering previous letter. Supplies have not been sent. A. therefore obliged to dispatch Mr. Cottenham with full powers to treat with them for the provisions necessary. Dec. 18, Annapolis.

(signed.)

Wm Shirreff Secy. L. Armstrong.

Armstrong to Deputies of Cobequid.

Reproaches them for not answering letter of Aug. 30, as above. No supplies have come in. Wishes answer to letter, proclamation and proposal to survey their estates. Has sent Dec. 18, Annapolis.

1. Countersigned : "A true Record by his Honours Command Wm Shirreff Secy."

1731. Mr. Samuel Cottenham to treat with them, with full powers. They will be paid promptly.

(signed.)

Wm. Shirreff Secy. L Armstrong.

Armstrong to Deputies of Minas. [*100*

Dec. 28, Annapolis. Previous letters of Aug. 30th and to Bourg of Sept. 21st. requesting bread and pease for Garrison and asking them to complete road between here and Minas have been slighted. People of Minas have not sent the small quantity of grain contained in the account, although they have supplied some private persons in the town. Sends Mr. Samuel Cottenham to ascertain the reason why. Understands that they do not thresh in the fall; will they send him in the spring 150 quintals of biscuit (or equivalent in wheat) and 40 hhd. of pease, by some of their own vessels?

(signed.)

Wm Shirreff Secy. L Armstrong.

Armstrong to Bourg. [*101*

Dec. 18, Annapolis. Bourg has disregarded former letter of Govr enclosing minute of Council. Another copy sent. B. asked to account for the 280 livres he says he has advanced for his Majesty's service, and the King's rents received by him. Upbraids him with his disobedience. Orders him to read these letters &c. before the deputies and report proceedings. Will B. and the other deputies obey or not?

(Signed.)

Wm Shirreff Secy. L Armstrong.

Armstrong to Major Cope & Co.[1]

Nov. 16, Annapolis. Wishes they had carried their schemes to perfection during Philipps's administration. P. understood all the requirements and conditions, but for reasons he did not communicate to A. or to the Council, P. refused to grant their demand. A. regrets that they have been put to such expense as a colliery entails, and will lay all the papers &c. again before the Council; regrets that the plan sent was defective. Difficulties in the way of granting a patent, quit rents &c.; land should be

1. These last five letters were apparently copied into the book on Dec. 30th. 1731, from the date at the end of each.

cultivated. Cope & Co. want it for the coal-mine solely. Wishes they were in N. S. to talk the matter over. P. S. To show his readiness to help them, A. will furnish a guard from the Garrison. 1731-2.

(signed.)

Wm Shirreff Sec.ry L Armstrong.

Armstrong to Bourg. [*103*

Acknowledges receipt of letter of Dec. 27th and the 8th inst. All the inhabitants but three indebted for two years' rent, which is payable in wheat, except in years of scarcity when capons are accepted instead. A. does not want capons, but wheat and pease. Desires B. to collect the whole rent in these and send it in James and Peter Le Blanc's vessel, which comes here in the spring, together with rent-roll, indicating rent of each person, date of last receipt and to whom paid. B. also to explain "what is usually paid Amongst you for fines of Alienation." Jan. 22. Annapolis.

(signed.)

Wm Shirreff Secry L. Armstrong

Armstrong to Bourg.

Acknowledges receipt of various letters. Last no less lame than some of the former. A. wanted not only explanation of fines of alienation, but also the rent-roll, which has not been sent. Desires that it be sent. Does not understand that paragraph of B.'s letter relating to Govr Phillips's proposition to B. for his care &c. in collecting the rents. B. should send him either original or proper copy of said proposition. B. to continue collecting rents as heretofore, sending to A. an exact account "plainly Stated without any manner of Ambiguity." As to the letter of B. and the deputies regarding the difficulty of dividing the land between the Depuis and the Claudes, A. can give no further directions. They should divide it at once. A. is surprised that these objections were not brought up at the time of the trial, when the parties were present. 1732. March 28. Annapolis.

(signed.)

Wm Shirreff Secry L. Armstrong.

Armstrong to Deputies of Minas. [*104*

1732. March 28. Annapolis. Letter from Alex. Bourg and other heirs of deceased Peter Melanson regarding René Le Blanc has been laid before the Council on the 25th inst. and adjudged "a very frivolous, Checanning and Impertinent letter". Deputies ordered to put the sentence into execution, signed copy of which René Le Blanc will lay before them.

(signed.)

Wm Shirreff Secry L. Armstrong.

Armstrong to de la Goudalie. [*105*

March 28. Annapolis. Much obliged for G.'s great concern and kind expressions about A.'s health. Cannot accept his excuses in the matter of building a church at Cobequid and importing missionary priests without permission of Govt. G. need not wait till the arrival of the missionaries, but may come at once to Annapolis to make the Governor's acquaintance.

(signed.)

Wm Shirreff Secry. L. Armstrong.

Armstrong to the Deputies of Cobequid.

March 28. Annapolis. De la Goudalie, priest at Minas, has informed A. that a church is building at Minas, and that the people of C. have applied to him for a priest without consulting the Gov.r Warned, ordered to desist and to ask Gov.rs permission.

(signed.)

Wm Shirreff Secry L. Armstrong

Armstrong to de la Goudalie. [*106*

Ap. 20. Annapolis. Since his last letter of March 28th, A. has seen a letter of de la G. to Gaulin priest at Annapolis of the 18th inst. He has harboured a deserter whom he is trying to convert. A. will resent such audacious practices. Copy of Art. 14 of the Treaty of Utrecht sent for G.'s perusal.

(signed.)

Wm Shirreff L. Armstrong.

Armstrong to Govr. Belcher. [*107*

Acknowledges receipt of B.'s letter of March 13th, per Peter Blin who arrived on the 17th inst. Glad to hear "of the Infante Duke's Kind Reception in Italy, which as it Contributes to the Tranquility of Europe, So I hope it will abate the views of our Neighbours, that we may also share of the Benefits of a long and Honourable peace." Obliged to B. for his offers of help. 1732 Ap. 21. Annapolis.

(signed.)

Wm Shirreff L. Armstrong

Armstrong to Dunbar.[1]

Acknowledges receipt of letter of 1st inst. Will send the men required and an officer to relieve Broadstreet. Proud of D.'s improvements and success. Sorry that he has been impeded by the Massachusetts people. Thanks D. for kind offers, wishes they applied to Great Britain or Ireland, but quits all pretensions in America to more youthful adventurers. As people here want grants, he wishes D. to send one of his deputies to forward the settlement. Wishes D.'s advice in regard to the tracts of land reserved for the navy. Regrets his inability on account of his health to visit Col. Dunbar at Fredericksfort, and invites D. to Annapolis. Ap. 21. Annapolis.

(signed.)

Wm Shirreff Secry. L. Armstrong.

Cosby to Shirreff. [*108*

Resigns position on the council, "untill I acquaint His Majesty with my Reason for So doing." May 7. Annapolis.

(signed.)

Wm Shirreff Sec.ry Alex^r Cosby.

Report of Committee on State of the Province.

Appointed by Armstrong at a meeting of Council in his own house, May 11th. Reported May 29th. "To Consider what May 29. Annapolis.

1. Mitchell? The marginal reference is: "The Govrs. letter to Col: Dunbar in relation to surveying &c." But Dunbar is referred to in the third person, in the last part of the letter.

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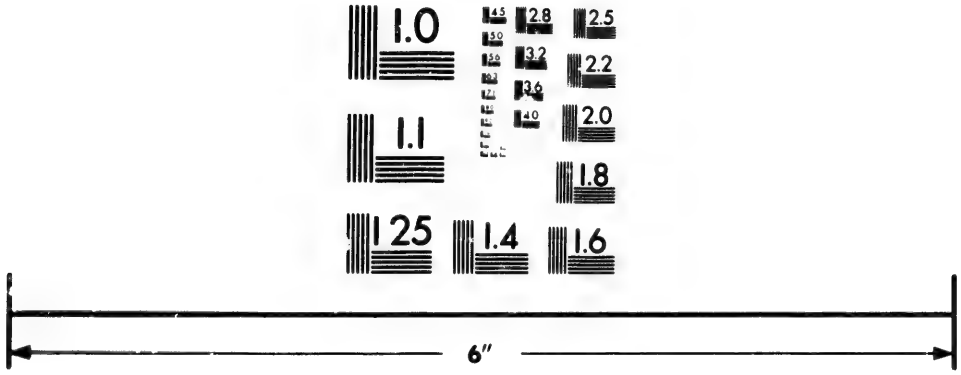

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1732. laws &c. are made in this province that Do or may affect the trade and Navigation of Great Britain In answer to a letter from" the Board of Trade. No manufactories or laws pertaining to them. Very little trade: all done by four or five coasters from Boston which supply the French with European and West India goods and take away grain, a few fish, but chiefly furs. At Canso chief interest the fishery. Carried on by British subjects from N. England and other adjacent provinces and by them and other Sack (sic) ships exported to market: there purchased by bills of exchange and such merchandise as the ships import for supplying the fishermen. More particular account may be had from the Collector at Canso. What may in time affect the trade &c. of G. B. is the great extent and commodious situation of the province, stretching almost 400 leagues from St. George's River on E. coast of N. England to Cape de Rosier at the mouth of the river St. Lawrence; with two large bays, Bay of Fundy and Bay of Chaleur. Bay of Fundy runs from Cape Sables (sic) to "Mont Desert" computed to be about 50 leagues; from Mont Desert N. E. to a high island called the Isle of Holt, 50 leagues; divides here into two branches, one stretching E. 20 leagues to Minas and Cobequid, the other N. to "Chickenectua and a place called Chippody, about the Same Distance." Large navigable rivers, well stored with timber, to the N. & W. From Cape Sables to Canso about 100 leagues; four large harbors, "Port Rosway, Lahave, Chickbuctua and Canso" besides many smaller ones, and many islands capable of improvement and particularly adapted for curing fish. Coast from Canso to Cape de Rosier, not so well known to us. French say Bay of Chaleur about as large as Fundy running N. W. "Furthermore We take liberty to Represent to your Honour, that We have Been Informed that Ever Since the ffrench were drove out of Canso by Captain Smart, Commanding of his Majestys Ship the[1] . They have settled a Great ffishery at Cape Gaspy in his Majestys Dominions, Where they have Been unmolested for these Several years past; and if they are Not Speedily Drove from thence, they

1. Blank left in original.

May in time So ffortify themselves as to Dispute a Great part of his Majestys Territorys in the Bay of St. Lawrence, as they pretend to Do in the River St. Johns, upon the North of the Bay of ffundy; which if permitted, will Consequently affect the trade and Navigation of Great Britian." 1732.

(signed.)

John Adams
Will: Skene
Will: Shirreff
Wm Shirreff Secry Otho Hamilton

Armstrong to St. Ovide de Brouillan. [*111*

The Inhabitants of this river have applied for a priest. Asks de B. to send hither two discreet priests, who shall conform to the laws. Letter sent by Capt. Bissell, a British subject and an honest man. Gautier follows with duplicate. Hopes the priests written for may return with him. De Goudalie has been ordered to quit the province. He has behaved basely; "hath in his letters Given himself the lye," and not behaved as a man of honor. June 17. Annapolis.

(signed.)

Wm Shirreff Sec.ry. L. A.

Translation of foregoing into French. [*112*

French translation of following document. [*113*

Armstrong to Deputies of Minas. [*114*

House to be built "on the Grand Pré at Menis" to shelter anyone sent on Government errands, to secure provisions, stores or other necessaries "to be purchass'd of the Inhabitants for the Service of this Garrison, or for any publick Store-House in time of Scarcity, for the poor Inhabitants of Menis, and for the Indians Residing thereabouts, under Such Regulations as to prevent any Exaction at such a time Aug. 1st. Annapolis.

1732. of Scarcity, and not to obstruct the freedom of trade." Some Indians have threatened or ill-used the person employed to prepare the timbers and raise the house. All interference with this work strictly forbidden. Indians to be reminded of article of peace: quoted; to the effect that the tribe is held responsible for outrage committed by any member of it, and no private revenge is to be taken in any quarrel between English and Indians; but it shall be judged according to British law.

(signed.)

Wm Shirreff Sec.ry. L. Armstrong.

Armstrong to Belcher. [*115*

Sept. 11. Annapolis. Has a plan for settling the province. Our troubles proceed from the influence the French have over the Indians, which will be maintained as long as the English employ the French to sell their goods to the Indians. The French keep us at a distance, make the Indians depend on them, engross the whole management of the fur trade and run away with the profits. If the French were cut off from these advantages, the profit would go to the Indians, who would thereby be bound to us by the strong ties of self-interest. Plan is to erect truck-houses at St. John's river, where the most important tribe lives, on the same footing as that at St. George's: at the expense of the government of Massachusetts, as no money can be raised for the purpose in this province. A. will do all in his power to assist. Has given directions and instructions to Mascarene, (who has been employed in negotiating the peace with the Indians) as a person fit for the business, to wait on B.

(signed.)

Wm Shirreff Sec.ry[1] L Armstrong

Armstrong to Aldridge. [*117*

Nov. 15. Annapolis. How, J. P. has complained from Canso that Aldridge has divested him and the other J. P.'s of all authority and taken the entire government upon himself, alleging that he has the

1. Below: "N. B. thus far sent home."

same authority on the spot as the Gov.r or the Lt. Gov.r He 1732.
has taken a much greater power upon himself than either Philipps or A. ever did. Armstrong always applied to whatever civil magistrates there were, viz. "The Justices of the peace and a Committee of the people at Canso" when the Council could not act with him. Surprised that he should presume to alter the established method of proceeding, unless he have special orders, which should be produced. Government devolves on the President of the Council, in the absence of the Gov.r and Lt. Gov. Aldridge is to sit as president at all meetings upon civil affairs, but not to assume entire control "lest by Your So Doing you frighten or Discourage the Settling of that place, the least appearance of a Civil Government being much more agreeable to Inhabitants than that of a Martial."

(signed.)

Wm Shirreff Sec.ry L. Armstrong

Armstrong to Justices of the Peace at Canso. [*119*

How complained against Aldridge in letter of Sept. 23rd as Nov. 15. Annapolis.
latter had taken on himself the public administration of affairs. Governor has no intention of altering the method of government. Has written to A. whom they are to respect both as commandant and member of the Council. Hopes A. will not interfere unless need arises for military assistance. The J. P.'s and committee are not to exceed their powers; cases beyond their powers are to be reported in writing to the Governor-in-Council. They are also to keep a register, transmit extracts therefrom annually, to be preserved in the provincial records: and also to make returns of the trade at Canso to be embodied in the Governor's annual report to the Board of Trade. Would have sent new commissions but did not know what vacancies had occurred.

(signed.)

Wm Shirreff Sec.ry. L. Armstrong.

Armstrong to Belcher. [*120*

Received B.'s of Oct. 9th. Proposition for a truck-house Nov. 15. Annapolis.
made only because A. had confidence in B.'s devotion to the

1722. King's interests. Hopes B. will prevail upon the Assembly to prefer the peace and prosperity of both governments to present expense and difficulty. A. will send a detachment to protect house and goods: thinks no succeeding governor will alter the footing until the enterprise is able to take care of itself: and that, once built, the king will reimburse the Massachusetts people: the expense cannot be great, if detachment is sent from Annapolis.

(signed.)

Wm Shirreff Sec.ry. L. Armstrong

Armstrong to the Annapolis Deputies. [*121*

Dec. 13. Annapolis. In answer to petition, presented on Saturday 9th inst. O. S. and dated Dec. 8th, N. S. asking that the priest be allowed to exercise his functions one half the time up the river, or that the church be removed to the middle of the parish for the convenience ot the old people and children. With petition, they presented a copy of an instrument issued by Philipps, dated Dec. 14, 1729. Both have been laid before Council and fully considered. Nothing in Philipps' instrument but a promise to observe Art. 14 of the Treaty of Utrecht, *i. e.* not to interfere with them in the practice of their religion.

As there is only one congregational church to each parish in G. B., how can they expect more? A. will not alter or innovate. Besides "your former Priests, Charlomain and one ffelix at mines & Several of the people," contrived a massacre of British subjects by the Indians: "and there are none of you but knows how Barbarously Some of his Majestys Subjects were Murder'd and wounded by these Infatuated unthinking people"; these "Actions being ffresh in Every Childs memory." As A. found the church built where it is by the French themselves, he will not permit it to be removed until he has orders from G. B.; nor can the priest's place of residence be altered until then. They would need a particular church or priest for each district. If those up the river have a church to themselves, those down the river will demand one also.

(signed.)

L. Armstrong.

"P. S. Seeing you alleadge that his Excellency made you Such a promise, I am Surprised you had it not put in Execution before his Departure." Below direction. 1733.

Wm Shirreff Secry.

Armstrong to the Bishop of Quebec. [*124*

Received B.'s letter per Monfils and de St Poncy, by way of Louisburg: latter to attend the inhabitants of this river: Monfils, those of a place called Pissaquit. Hopes they will behave like men of honor and not fomentors of discord: may exercise their sacerdotal function as long as they do not transgress the laws of G. B. Should be glad to see the B. here, but has written the home authorities regarding the executing of the B.'s office: and doubts not of their answer. Encloses letter of of "Mr. De Poner's." Nov. 21. Annapolis

(signed.)

Wm Shirreff Secry. L. Armstrong.

NOTE: French translation of Armstrong's answer to the petition to move church [121-124] follows, covering [125-128.]

Armstrong to Justices of the Peace at Canso. [*129*

Received their letter of March 27th, by way of Boston and in reply has sent three J. P.'s commissions for the three gentlemen nominated, (Joshua Henshaw, Moses Calley, and Richard Bardin; commissions dated May 9th). Hopes they will agree, as it will encourage the place and be agreeable to all settlers. 1733. May 7. Annapolis.

(signed.)

Wm Shirreff Secry L. Armstrong

Armstrong to de Goudalie.

Agreed in Council that it is proper to let de G. know that the inhabitants are free to choose their own deputies; that elections are annual, (in order that each in turn may share the fatigue or honor of the office) on or about Oct. 11th. Orders have been sent to prepare for such an election. A. doubts not that de G. will do his best "to perswade them to decent Aug. 30. Annapolis.

1733. and Suiteable Comportment, and to make as prudent a Choice as possible, it being as much for their own Interest and Credit as that of the Province, to employ honest Discreet understanding men, Especially in Such a publick Office." On visiting A. after the election both they and de la G. will meet with a kind reception.

(signed.)

Wm Shirreff L. Armstrong.

Armstrong to Board of Trade. [130

Nov. 10. Annapolis. Merely an enclosure with the case of Alex.r LeBorgne Sr. De Bellisle, drawn up in accordance with the B. of T.'s instructions, touching the pretensions of the seigneurs. Has "nothing as yet from any of the Rest"; but will forward it as soon as received. "This Alex.r is the son of Mary the Daughter of Seign.r James Latour (alias St. Estien) by Madam Daunay; She after ye reduction of this Province Retired to Canada for about three Years and then returned"; B. of T. can always refer to A.'s previous account of the seigneurs, which A. has not yet found to be contradicted by any here. Leaves it to judgment of B. of T. whether those who remained and are now present have any claim to the "shares of those who departed."

(signed.)

Wm Shirreff Sec.ry L: Armstrong

Shirreff to John Duon.

1733-4. Jan. 5. Annapolis. Received D.'s by John Prince's son: laid before the Govr. whose answer is as follows: He is surprised at the inhabitants making so many frivolous excuses and difficulties, where none exist. It is as easy for them to bring their rents on horseback as it is to ride daily hither. If the debts were due the Gov.r, he might be lenient; but as they are due the King, his master, he must insist on payments. For their own sake, they are ordered to comply. On Monday morning next at 10 of the clock, he intends to "fire three Guns with a whift in the flagg for a Signall to Speak with you": and also on Tuesday: when he expects the inhabitants to come with their

nts. In regard to the difficulty of exchanging a turkey for 1733-4.
our capons, "y^t is judged no Equivalent because a Capon
as always deemed more valuable than a hen, and you know
ourself the Difference thereof."

(signed.)

Wm Shirreff Sec.y

NOTE: French translation of foregoing follows [132 f.]

epresentation to the State of the Province in Case of War with France. [*133*

Duty of Gov. and Council in view of posture of affairs in 1734.
urope, to represent the defenceless state of N. S. The long July 13.
ntinued fortifications at Louisbourg, St. Peter's and the Annapolis.
land of St. John's, enable them to send out privateers at
eir pleasure, cut off our supplies and destroy our fishing
ssels. By the influence of their emissaries, the French in
S. think they are only neutrals, and are ready to join those
C. B. and Canada against G. B. Some of these attacks
nnot be repelled, as there are no vessels of force to check
e insolence of their privateers; and no proper authority to
nish treachery in the King's French subjects.

Canso, just at the doors of the Cape Breton French, and
veted by them, is most advantageously situated for the whale
d cod fishery, and has recently made a considerable figure
these two great branches of trade. It lies naked and de-
nceless, without so much as barracks to lodge the four com-
nies of Col. Philipps's regiment stationed there for its de-
nce, or store houses, except hasty slight erections put up
m time to time by the commanders, assisted by the fisher-
n. If taken by the French, the loss would affect not only
S. but New England, New York and the other plantations;
British subjects resort thither from all parts. As it is the
y place in the province that can be said to have been fre-
nted all along by British subjects, its loss would very
ch affect the traders, and strengthen the French, and en-
e them to do more damage along the coast with their pri-
teers.

Memo below signature: "Sent by Honore Prince & Char.s Giroar."

1754. Merchants who trade with the French and Indians inform that the demeanor of both towards the English has m altered of late; the first do not hesitate to declare publ that they have the promise of assistance from France in re ing the province; the latter being thereby encouraged, b attempted to commit depredations. At the first declaratio war, the French and Indians will fall upon Canso, and bea this place by land, while their privateers will cut off our s plies; but Cape Breton will be supplied, as it has been along, by the French of this province, via Baie Verte and harbors on the eastern coast. Canso "in a Much more l plorable State & Condition than Annapolis Royal"; sev merchants have already retired from it. Hope his Majesty consider their representations.

"Signed by the Govr & Council and ye Officers both C and military &c."

Wm Shirreff Sec.ry

Address to the King.

July 13. Annapolis. Formal congratulations "on the Happy Marriage of Princess Royal with His most Serene Highness, the Prince Orange." Though by reason of their remoteness, they may the last to testify their joy at the great blessing this alli will bring to th Protestant interest, they are not the mindful of those great heroes, particularly William III, " so Gloriously Mentain'd the Cause of Liberty and Religio Such an alliance the only solid basis on which the happin of his subjects can stand. They offer their earnest pray for the long life and happiness of the bride and groom, for "such a Glorious Offspring as may in Imitation of Majesty and their Illustrious Ancestors of both houses Be the Hopes of all Tyranny and Arbitrary Power."

Memo: Signed by the Gov. and Council and all officers both civil and military: but the only actual signa is,

Wm Shirreff Sec.ry

Armstrong to the Board of Trade. [*137*

1734. Oct. 25. Annapolis.

othing to add to his former letters regarding the state of province. Few Indians to be seen here since reports of began to fly about. They assembled in force this mer at C. B. under pretence of getting their annual ents; but their designs are still unknown: "for want of presents this his Majestys Governm[t] is much despised hese poor deluded people."

(signed)

m Shirreff Sec.ry[1] L: Armstrong

Shirreff to Deputies of Minas. [*138*

Nov. 2. Annapolis.

.B. S. directed by Lt. Gov. Armstrong to forward to them osed order; they must proceed with the election of ties, though the regular time is past, according to said r. They are also to bring along with them "the Said Jacque le Blanc"

(signed.)

m. Shirreff Sec.ry Wm: Sherriff Sec.[2]

Armstrong to Board of Trade.

Nov. 30. Annapolis.

cknowledges receipt of B. of T.'s letter of Sept. 11th last, other papers in answer to A's. Sorry their letter came te; cannot execute their orders in regard to Canso, until an go there. As to the Indian presents and their shyness, was in Boston at the time, and could know nothing of them: al presents may in time prove advantageous. A. still s former opinion in regard to the proposed truck-houses t. John's river, but in accordance with B. of T.'s orders make no further advances beyond forwarding surveys and rmation home. Thankful for copy of Mrs. "Campble's" ion regarding French titles and seigneuries: some state- ts in it prejudical to truth and the interests of her aunts cousins, who have always remained in the province, and etend to on Equall Share with her in these Demesins

[1] Before S.'s signature: "N. B. That one of the same Tenor & Date was to the Sec.ry of State.'

[2] The name is signed twice, first at the right hand and misspelled in the ng of the rest of the document; and again, at the left, in what seems to be eff's own hand.

1734. which she claims." A. obliged to contradict the stateme (intended to move pity) that Mrs. C.'s first husband Lieu Broadstreet was killed by the Indians: he died in his bed, of lingering disease in Dec. 1718 "I think." No Indian di turbances until 1722. The orders she mentions were on given in charity as an officer's widow "during pleasure, a not as any right She ever Claimed." Cobequid and Chigne were always distinct from the La Tour claims: the first w given by the French King to Matthew Martain "who is b lately dead." Never heard of any claim of La Tour to t second.

Her statement that her several brothers and sisters, her c heirs to the property in question conveyed the lands to her, retiring from the province to the French possessions on t publication of Q. Anne's letter, "Is almost of Equall for with the former." She never had but one brother: her elde sister married a French officer and left the province on t capture: and her said uncle Charles committed or tried commit various hostilities upon British subjects from th time until the treaty of Utrecht. Her youngest sister is st here, having never retired from the province; her brother "b ing at that time also a Minor." If such conveyances be b good, there can be no such thing as forfeiture. Conveyan from her brother cannot be valid, because he was a mino even had he been of age, he could only dispose of his share Mrs. C. can be entitled only to her own share as a "parcener

As against her grandfather's letters patent from the King France, according to the best information here, "During t life of Marquis D'Auney, he La Tour was Entitled by Pate to that part of the province reaching westerly on St. John River on the north Side of the Bay of Fundy, and that aft Monsr. D'auney's Death, Monsieur La Tour having marr his Widow, he was through her Intrest absolved from t Crimes of Male-administration alledged against him by her fo mer husband, who had been Viceroy of the Province, & h power was then Enlarged; But being unable to answer in t Majestie the ffrench Kings Intention in Settling of the Pr vince, He applyed himself to one L'Borgne Sieur de Belli

for Assistance, who Supplied him with money and other 1731.
Effects to a very great Sum, in order to Enable him to prosecute his design, Whereupon the said Sieur L'Borgne sent over his Son to Secure & take care of his Intrest According to the Agreement made between them two And as things went Cross with Mons. La Tour he put the son in possession of most, if not all his Estate as a Security for the Debt; which not being as yet paid, the Sons Widow one of the Daughters by the said La Tour by Madam D'auney holds part of it to this day." After La Tour's death, Madam D'aunay and her five children, being much reduced and applying to the French king for relief, it was decreed upon her petition, that Belleisle, as a valuable consideration for the money advanced, should be seigneur and receive the rents and profits for seven years, and that the estate should be divided, share and share alike among her five children. This is asserted by the oldest people here and the decree is said to be contained in a book called "Arrêst d' Court," which A. has not seen. If then the conveyance from her brother and one sister be held good, Mrs. C. can be entitled only to one-fifth, and those of the other branches who are now and always have been in the province, to their respective shares. The value of the rents not so great as is asserted, but about the same as those of Annapolis; account of which has been sent to the Board. A. submits further that no governor could give away what is always considered the property of the King, without special orders from home communicated to the Council. Unless Mrs. C. is limited in her claims, the B. of T. will be "Eternally troubled with C[illegible]-uall Claims by the other Coheirs her Aunts & Cousins," who, upon thoughts of leaving the province made the conveyances (and, A. is informed, only conditionally) on which she founds her claims; and not her brothers and sisters.

Although English subjects, on account of their fewness, ought to be used with tenderness, a vacancy is better than a deceitful member, and A. has suspended Wm. Winniett from his seat, on information laid against him, "and his other disrespectfull & Contemptuous behaviour not only in Council but likewise abroad." Acknowledges receipt of Secretary

1734. Popple's letter of May 30th, asking what further encouragement is necessary to induce the inhabitants to cultivate naval stores. A. does not know what encouragement is already given: will try to collect information, and would like instructions on that head. Inhabitants idle and lazy: nothing can be done until we have English inhabitants.

(initialed.)

L: A.

P. S. With regard to the minute of H. M.'s council, directing A. to prepare a patent for John Hart Esq. to certain waste lands in the province, with exemption from quit rents for ten years, and afterwards at quit rent of 4s. stg. per 100 acres, payable after ten years, A. considers this a great encouragement to settlers, (though beyond his original instructions): the present terms being the chief reason why the French will not accept patents. Will not swerve from his instructions, but submits the proposition to the Board.

(signed.)

Wm Shirreff Secry. L. Armstrong.

Shirreff to Bourg and Deputies of Minas. [144

Nov. 30. Annapolis. Mr. Geo. Mitchell having been ordered to survey lands, lying near Minas, the inhabitants are not to affront or hinder him in the performance of his duties. Supplies are needed and the deputies will procure "as much wheat, pease and Biskett bread as possible," to be brought here as soon as the weather permits. Governor intends to visit them in the Spring; they must make preparation for his reception,

(signed.)

Wm Shirreff Sec.ʳy Will: Shirreff Sec.ʳy.[1]

NOTE: The translation of the foregoing into French follows [144, 145].

Shirreff to Bernard and Réné Le Blanc. [145

Nov. 30. Annapolis. As a reward, B. & R. Le Blanc are nominated and included among the proprietors of the mine they have discovered at

1. In the same hand as the letter.

Minas: Geo. Mitchell has been sent to survey the land "from Chevery's Creek to the mouth of Pissaquet River, and also that at Grand Saut and Cape Fandu." They are to aid and assist him in all ways: governor will make a grant to them and others in company. In case of other discoveries, they are to notify the governor, and share in the benefits; and also to let other discoverers know that if they inform the governor, or the surveyor (Mitchell) so that the mines can be plotted, they shall have equal shares with the proprietors of the land. Governor invites them to Annapolis. 1734.

(signed.)

Wm Shirreff Sec.ʳy Will: Shirreff Sec.y[1]

NOTE: The French translation of the foregoing [146-148].

Armstrong to Mauflls.[2] [*148*

Thanks M. once more for his "Civil & Generous Entertainment of my Self & Gentlemen at Piziquet"; hopes that M. is well and that St. Poncy "hath much recovered." Encloses order for Deputies of Piziquid and Cobequid; not unreasonable; for without knowledge of each man's claims to the land, the government cannot settle the disputes. People of Minas have already brought in their grants. 1735. Ap. 28. Minas.

(signed.)

Wm Shirreff Sec.ʳy L. Armstrong

Armstrong to the Deputies of Piziquid and Cobequid.

As there are several disputes among the inhabitants in regard to boundaries, seignorial rents, fines of alienation, &c., the deputies are ordered to require the people to hand in all their contracts and deeds of sale, that the Council may be able to settle the disputes pending or which may hereafter arise.[3] Ap. 28. Minas.

(signed.)

Wm Shirreff Sec.ʳy L. Armstrong.

1. In the same hand as the letter.
2. Margin reads: "Gov.ʳ Armstrong's Letter from Menis to the Priest at Piziquet."
3. P. S. orders them to publish enclosed proclamation.

Shirreff to de la Goudalie.[1] [*149*

1735. Sept. 4. Annapolis. Encloses orders for de la G. to deliver to the deputies of Grand Pré. He is to tell them the Governor expects them to be promptly carried out.

(signed.)

Wm. Shirreff Sec.ry Wm. Shirreff Sec.try[2]

NOTE: Follows a letter[1] to Maufils at Piziquid of same date and similar tenor (with memo of one also sent to "Mr. Deschlashe Priest at Chignectou"). [149]

Shirreff to Deputies at Annapolis.[1] [*150*

Sept. 4. Annapolis. Ordered by the Gov. to send enclosed orders which are to be put into execution without delay.[3]

(signed.)

Wm Shirreff Sec.ry Wm Shirreff Secy.[2]

Shirreff to Alex. Bourg.

Sept. 20. Annapolis. Has received B.'s; "Manjeant" is mistaken in saying it was only a form "for its the Amcunt of the Quit Rents conformable to their several Grants." Wishes the amount of the same according to the "Scheme" enclosed: also the amount of fines of alienation separately; as also the amount of the whole B. has received from the beginning.

(signed.)

Wm Shirreff Sec.ry. William Shirreff[2]

NOTE: French translation of foregoing follows, [150f.]

Armstrong to the St. John's Indians.

Sept. 27. Annapolis. Indians have been alarmed as to the intentions of the surveyor, and have sent an express by Francis Jermaine "the Chief of Oepagne & Captt Peter Jacque." A. absent and did not see them. Assures them they have nothing to fear. Through Robichaux the interpreter, A. learns that they have

1. In French.
2. In the same hand as the letter.
3. In margin: "The Secys Lettr. to the Deputys for Chusing of the New." Below signature: "N. B. that one of the same was sent to Cobaquit."

been cheated by the merchants and intend henceforth to bring their furs to Annapolis. A. will provide vessels for their transportation, though Robichaux says they intend to come at their own expense. 1735.

(signed.)

Wm Shirreff Sec.ʳy L. Armstrong

NOTE: French translation of foregoing follows, [152 f.]. Direction [153] reads, "A Mess.ʳˢ Sibanoit Vanbigangoutte & les Autres Mess.ʳˢ Sauvages De la Riviere St Jean"

Armstrong to Gov.ʳ of Cape Breton. [*153*

Sorry to have an unpleasant reason for writing. Is informed that the Brigt. "Baltimore", Andrew Buckler, merchant being owner, and Richard White master, sailed from Dublin on Oct. 7th, 1735, with 18 persons on board for Annapolis, Maryland. Driven out of her course, she fell in with "the Tusketts (near to Pobomcoup by Cape Sables) they got all safe through meer providence into a Harbour Called Tibogue the 5th day of December last where they all Died, Except two Sailors & a Woman who remained on Board till the 4th of April last; The day whereon Anthony Telgumart, a Cape Sable Indian, with his Wife, His Brother Anastase & two Children went on Board & Carryed the unfortunate Gentlewoman along with them after having Robbed her, as she Saith of aboute Sixteen hundred pounds Sterling in Silver & Gold & maney other things of a Considerable Value, Exclusive the Ships Cargoe, by her said to be worth About Twelve Thousand pound Ster'g. more." Tedious to give all particulars; but translation of Mrs. B.'s affidavit enclosed. "She Arrived here from Pobomcoup with Mr. Charles Dentremon of that place, who took her from the Indians, & Mr. George Mitchell on the 9th Instant, & calls herself Susanna Buckler Widow of the said deceased Andrew Buckler, who died on Board the 30th of March last; Which, & her other Allegations & Assertions for want of other Evidence we cannot Disprove, However I have taken Mʳ Dentremon's & Mʳ George Mitchell's Declaration's No 2: 3, As to what they had heared or Seen thereon." Copies enclosed. May 17. Annapolis.

1736. "She Declares that when the aforesaid Indians took her from on Board that She left the other two men, who are now Missing then Alive & in Possession of the Vessell, by which Circumstance & that of the Indians taking the Ships Boat from a Servt Maid & a Negroe Boy who had been sent with her a Shore the 24th Decr as Reported, We are somewhat Apprehensive of Murder, the Maid & Boy being afterwards found in the Woods.

"To which loss of the Boat Mrs Buckler imputes the Death of Ships Company, being thereby cutt off from having any means of getting ffresh Water, for Want whereof they perished, & not by any other Apparent Disease or Sickness, Which is Indeed Surprising in a Harbour, where She says they had no Scarcity of Provisions nor of any Other Liquors."

The vessel was and is in this harbor; and the woman was in the possession of the Indians; A. therefore sends this account of her misfortunes in case any of the missing property turns up in de B.'s jurisdiction; wishes de B. to secure it.

"She In Her Conversatn Reports that She hath been at Lewisbourg along with her said Deceased Husband & lived Several weeks along with Mr De Jambon (with whom) as by Mr Dentremon's Declaration 'tis beleived She is Related; So that it is probable you may Know her & be Able to give us Some further Light"

People of Cobequid have petitioned for a priest. "Mr. de St Poncy who was very desirous to go to France in Order to Recover his health Embracing their Choice of him for Twelve Months." Petition laid before H. M. Council and granted, on condition that either he or Mr. Cheveraux (who was in attendance on the Council) go first to Pobomcoup and try to make the Indians give up Mrs. Buckler's property, "According to the Proposal & Request of Mr Charles Dentremon.

"They both upon Communicating to them the Sentence of the Board, fell into a most Outragious Insolent passion, And Unmannerly Behaviour, as being Attended with such an Audacious Contempt of, & Disobedience to his Brittanick Majesty's Power & Authority & Disrespect to his Council;

that I am Constrained to Order them out of the Province, 1730.
Which you will See is purely Owing to themselves, & they only to be Blamed for what hath Happened." Copy of minute of Council, enclosure no. 4 sent herewith. Despatch will be delivered by Lt. Edward Amhurst and Mr. George Mitchell "Gentlemen of Worth & Probity" who will give further information and assist in the recovery of the effects aforesaid. Hopes to be able to send good news of the affairs in Europe by his next.

(signed.)

Wm Shirreff Sec.ʳy L. Armstrong.

Armstrong to the Dentremonts at Pobomcoup.[1] [*155*

Their "Brother & Relation Mʳ Charles Dentremon & One Mʳ Buckler" arrived here (at Annapolis) with Mr. George Mitchell, and informed H. M. Govt. on oath of a "most Surprising & Melancholy Accident which hath happened to the Brigantine Called the Baltimore in the Harbour Tibogue near your Village," and also of the Indians' barbarity to the gentlewoman in robbing her of money, clothes and other necessaries, as well as the ship's whole cargo, boat, sails, rigging and other tackling, ammunition, guns and fire-arms. A. has therefore sent a detachment under Ens. Chas. Vane, to bring the "Baltimore" to port and recover the stolen goods.

A. expects, from the good character "you have allwise had amongst the English" and their undoubted influence with the Indians, especially those of Cape Sable, that they will do their utmost to get the ship's sails &c. from the Indians, to be put on board her and sent hither with the utmost despatch, "as You will Answer to yᵉ Contrary."

As, according to Mrs. B.'s statement two sailors, since missing, were alive on board, on Ap. 4th last N. S. (the day whereon the Indian Anthony Tideumart and the others took Mrs. B. ashore), there is reason to suspect murder, A. does therefore "desire & require" them to search out these two men and make inquiry regarding the conduct of Tideumart *et al* who took away the ship's boat, on or about Dec. 24th

1. No date or place; but plainly from Annapolis, on May 17th.

1736. last, and are further suspected of murdering a woman and a negro boy, who were in the boat at the time, and were afterwards (as she reports) found dead in the woods. The Dentremonts are to use all efforts to discover the guilty parties, and to come themselves, as many as can be spared, to Annapolis and clear themselves of all suspicion of connivance or complicity.

Despatch enclosed for the Chief, which they are to read and interpret faithfully to him.

(signed.)

Wm. Shirreff Sec.ʳy L. Armstrong.

Armstrong to the Chief of the Cape Sable Indians. [157

May 17th. Annapolis. Greeting, formal. A. is "mightly pleased with the Character you Bear & your Prudent & wise Conduct in being noways Concerned" in the alleged murder and robbery connected with the "Baltimore," in Tibogue, "Near your Village," committed by Antoine Tedeumart, and others. Chief and innocent members of the tribe assured of A.'s protection and friendship. Such actions are not only repugnant to the laws of God and man, but also expressly against the articles of peace signed by the C. Sable Indians and the tribes of New England, one article of which stipulates that "no privite Revenge shall be taken"; but that, on complaint, an Englishman shall be regularly tried for an offence against an Indian, and an Indian offending shall be delivered by his tribe for trial. Not necessary to remind the chief of these things, as lat' er must abhor all such vile and abominable actions, which bring down the vengeance of God and the displeasure of men "particularly of the Subjects of his most Sacred Brittanick Majesty My Master." Enjoined to recover the missing property and deliver Tedeumart and such others of the tribe as are concerned in the wrongdoing, that they may be fairly examined according to the treaty, and that the Chief himself may be freed from all blame.

(signed.)

Wm Shirreff Sec.ʳy L. Armstrong.

Armstrong to Belcher. [*158*

1736. June 19. Annapolis.

Doubts not that B. has heard of the brigt. "Baltimore" from Dublin in the harbour of Tibogue, by the "Tusketts Islands near to Cape Sables," and of all the passengers and crew dying except one gentlewoman who was robbed by the Indians "& giving us this dismall Acco^t:" Understands from Charles Dentremont and Peter Landry of Pobomcoup that "one Jonathan Ridge or Rich of Marble Head" was seen to come out of that harbor and is suspected of having taken some of the vessel's sails and rigging. Wishes B. to make enquiries and if possible recover the things set forth in this declaration for the benefit of the owner. Has examined the gentlewoman, and though there may be room for suspicion, there is no evidence to disprove her statements. She intends to wait on B. herself, and will no doubt "Enumerate to you the Whole" of her misfortunes. A. being apprehensive of murder, has written to Chief of the Cape Sables Indians, and sent them a copy of some of the articles of peace. Ridge or Rich is said to have sent the Capt.'s journal (*i. e. log*) with a letter to a gentleman in Boston. He may upon examination, give B. better information.

(signed)

Wm Shirreff Sec^ry L: Armstrong.

Armstrong to Sec. of State.[1] [*159*

June 19. Annapolis.

A.'s duty to inform S. of S. of a melancholy accident to a brigt. called the "Baltimore" bound from Dublin to Annapolis, Maryland, with eighteen persons on board; Richard White, master, and Andrew Buckler, sole owner. Cargo valued at £12,000 besides £1500 in gold and silver, if the so-called Mrs. Buckler's statement is true, copy whereof is enclosed. Statement to this effect: "Baltimore" sailed from Dublin, Oct. 7th, 1735 and through stress of weather on Dec. 15th, was driven into Tibogue Harb., near Cape Sables; there all died

1. It begins "May it Please Your Grace." The Secretary of State (south) at this time was the Duke of Newcastle, "Permis," so ridiculed by Horace Walpole. It is said that he had a closet full of unopened despatches from the American Colonies.

1730. except Mrs. B. and two sailors. She says that she is the widow of Andrew Buckler and "that Her Said Husband was very well known to your Grace." On Ap. 4th last, she was carried off by Indians: at this time the sailors were alive and in possession of the vessel; they are not now to be found. She reports further that the boat was carried off by two servants who were afterwards found dead in the woods. A. being apprehensive of murder has sent off Ens. Chas. Vane with a small party to recover the vessel, with letters to the Chief of the Cape Sables Indians, to the Inhabitants of Pobomcoup and to Gov. St. Ovide "at Lewisburg," on this subject. Copies of all these and of Minutes of Council relating to it, of Chas. Dentremont's and Geo. Mitchell's declarations, also enclosed. Hopes that his action, (conformable to Minute of Council,) in sending the Roman priests out of the province, will meet S. of S.'s approval. Wishes further instructions regarding the refractory priests and inhabitants "Who May at any Time dare to deny his majesty's Sovereignity."

(signed.)

Wm. Shirreff Sec.ʳy. L. Armstrong.

Armstrong to the Board of Trade. [160

June 19. Annapolis. "The trouble of this proceeds from yᵉ Sad & faithfull accoᵗ." from the so-called Mrs. Susannah Buckler of the loss of the Brigt. "Baltimore" "This Unfortunate Gentlewoman" arrived here on May 9th last from Pobomcoup with Charles Dentremont who took her from the Indians and Geo. Mitchell one of H. M.'s surveyors. Her statement before the Governor-in Council is, that the brigt. sailed from Dublin on Oct. 7th last for Annapolis, Maryland and was forced by bad weather into Tibogue Harb. on Dec. 15th. Two sailors alive on Ap. 4th last, when Indians came on board and carried her off and robbed her, "if her Report be true" of £1600 stg. in silver and gold "besides the Ship's Cargoe which she saith Amounted, as She hath been Inform'd to about Twelve thousand pounds Sterling more.

She Imputes the Cause of their Death to the Want of fresh Water, through yᵉ Loss of their Boat which the Indians had

taken from two of Her Servants, a little after their Arrival in 1736.
that Harbour, and not to any Apparent Sickness or Distemper, which is somewhat Surprizing, Seeing they might at that time as I understand She now is, have run y° Vessel ashore, but as to that Seeming piece of Indolence, their Sailing and management of the Vessel She Could give no other Acco^t. than that, as they Believed themselves Some where By Piscataqua, they were in hopes of Meeting with Some fflsher Men to Conduct them thither, from that Circumstance of ye Boat, the Two Serv^ts Being afterwards found Dead, and as they two Sailors are not to be found We are not a Little Apprehensive of their being Murder'd, as to Which and the truth of what hath been further Related, as I hitherto have So, I Still Shall enquire as particularly as possible and judging it Necessary" have sent copies of the various letters and declarations[1] to the B. of T ; having in the meantime despatched a small party under Vane to bring the vessel to Annapolis.

By Mr. Dentremont's declaration, Jonathan Ridge or Rich of Marblehead in N. E. is suspected of having carried off the sails, rigging "and Six Swibel Guns &c." A. has written to Gov. Belcher to enquire into the matter: some of the property may perhaps be found among the fishermen of that govt.

"I have frequently wrote to y^r Lordships in Relation to ye Insolence[2] of ye Romish priests who contemn and disclaim His Majesty's Sovereignity Civil power and authority, and in

1. Enumerated as in preceding despatch.

2 The following extracts from the minutes of the Council at Annapolis (MS. 22 p 435 ff.) throw light on this passage:

Monday the 17th May 1736 being mett According to Adjournment.

* * * Then His Honour Acquainted the Board that as the Inhabitants of Cobaquit had applyed to him for a Priest, & that as Mr. St. Ponce whom they Petitioned for was thinking of going to ffrance, but willing to Stay a Year longer with these People, He had therefore a great mind to let him go but not till either his or Mr. Chaveraux Return from Pobomcoup being Intended at the request of Mr. Dentremont to send one of these Priest to use his Endeavours with the Indians to make Restitution, & then laying the Petition of Francis Mitchell & John Robisheaux in behalf of the Inhabitants before ye Board, it was upon Debate deferrd till to-morrow that ye Petitioners & the two Priests might be presente. * * * *

Tuesday the 18th May 1736 Being Mett at the same Place. * * *

The Petition in behalf of the Inhabts of Cobaquit was also laid before the Board, which being again read & what His Hon. had also said thereon Considered the prayer was granted.

Whereupon Mr de St Poncy & Cheavereaux the two Romish Priests were called in & informed thereof & told that it was Judged necessary, before Mr. De St Poney's departure for Cobaquit, that either he or Mr. Cheveraux should first go to Pobomcoups along with Mr. Charles Dentremont & Lt Amhurst to use Endeavours that Restitution may be made of the Vessells Sails & such other Effects which the Indians had taken.

They thereunto Answered his Hon. & the Board in a most Insolent, Auda-

1736. opposition thereunto Set up an Independant Jurisdiction of their own and as the Minute of Council will Inform You of their audacious Insolence on this Occasion I hope you will not only approve of My Conduct in having sent them Conformable to ye Said minute out of this province" but give further instructions "to direct Us to Manage and treat Such Priests the Refractory Inhabitants & Lawless Savages, Who for some time past have been so Elated as Seemingly to have no Manner of Regard to any of their Treatys; which is not only evident from former Acts and their Behaviour in respect of this Brigantine, but also from the Insolence of those of St. John's River in opposing a Vessel sent by the Storekeeper of ye Board of Ordnance to load With Lime Stone for His majesty's Service, their Robbing ye people of their Cloaths & provisions, pretending that the Land &c. belonged to them, and that therefore they Would be paid; as the Sailors of that Vessel have reported."

Unless other methods are taken to bring them over to H.

cious & Disrespectfull manner, Saying that absolutely that they would not go & that they would have nothing to do in the Affair. [437]

And being asked If they would not Obey the Just & lawfull Orders of his Majesty's Government to which Mr. Chevereaux Answering contemptuously with an Unbecoming Air and unmannerly gestures Saying Que Je Suis ici de la part du Roy de France & Mr St Poncy most affrontingly affirming the Same also in words to the Same Effect.

His Hon'r thereupon told them that he had a great mind, seeing they had so Said, for their Contempt of this his Majesty of Great Brittain's Goverment to send them to France.

They replied with a Laugh & a most haughty Insolent Air, With all their Hearts, then turned their Backs & went out of the Room Seemingly in a very great Passion, Slaming and throwing the Doors in a most Rude & insulting Manner, & without his Hon:rs leave they left the Board where they were desired to Attend for an answer to the aboovesaid Petition.

When Mr Dentremont being called before the Board & told that the priests had refused to go, He said he was sorry for it, for it was his Opinion that the most Expedient method to oblige these Indians to reason & to get Restitution would be to send a Priest which was the reason of his proposing it to his Honour, a Priest being also much wanted at their Village to Baptize & administer the Sacraments.

The Board having taken their Behavour & Comportment into Consideration, came unanimously to this Resolution that they should be dismissed & ordered to retire to the Presbytere & there to remain 'till an Opportunity Offered to send them out of the Province.

Agreed that they the two priests should be Again Sent for to hear the Opinion & Determination of the Board that they may prepare to be gone when ever an Opportunity Should Offer.

Whereupon the said two Priests Appearing before the Board & the Sentence being read; they reasumed their former Insolence, Called for Chairs to sitt Down, Saying that they did not Appear as Criminals &c that they had no business with things Temporal, & further expressed themselves in these words "Que Nous N'avons point D'ordres a Recvoir ici. and as their [438] whole Behaviour & Discourse to the Govr. was as above Recited & tending to a Jurisdiction of their own Independant of his Majesty's Authority & the Civil power of this his Goverment, they Were Ordered to Depart Immediately to the Presbytere & there to Remain as aforesaid & also Ordered that the 14th Arti. of the treaty of Utretch should be sent them.

M.'s interest, this government will be insulted and British subjects, if not murdered, robbed and molested. 1736.

(signed)

Wm. Shirreff Sec'ry. Law:ce Armstrong.

Armstrong to Tho. Corker, Dublin. [*162*

Brigt. "Baltimore" from Dublin to Maryland driven on this coast; all on board perished but the gentlewoman who calls herself Susanna Buckler, widow of Andrew Buckler, sole owner of the vessel. Vessel brought to this port and laid up with care, for benefit of the owner. Papers found forwarded to him because they contain his name and because Mrs. B. gives out that C. was her husband's friend, correspondent and factor. By papers enclosed, C. will see that they have not only tried to get at the truth, but also to recover the lost property: latter difficult as Indians have no principle of honor, honesty or virtue, and some of the French inhabitants may act as their receivers. Has been at expense in salvaging vessel and in supporting Mrs. B. in her distress; would like advice as soon as possible as to disposal of vessel. Must be at further expense in sending her home. June 19, Annapolis.

(signed.)

Wm Shirreff Sec.y L. Armstrong

Armstrong to de Brouillan.[1] [*163*

Acknowledges receipt de B.'s letter of July 1st.; sorry for disputes: but in some cases, they are inevitable. De B. Mistakes the cause of A.'s difference with the two priests: "it was not so much for Affronting my self & his Majesty's Council, as their affecting an Independency & disowning his Majesty's Authority in his own Dominions; I am Convinced that the ffrench Government would not have been so mild on such an Occasion if I may Suppose that any priest would have dared to disobey their Lawful Commands. Disobedience in Spiritual Pastors is always of a Contagious nature." As to de B.'s contention that, according to the treaty of Utrecht the people Jul. 26. Annapolis.

1. Signed by Governor only, with the memo, "read in Council July ye 28th. 1736."

1736. of this province are entitled to the free exercise of their religion, which they cannot have without their priests, the treaty also stipulates that they shall have it as far as the laws of G. Britain will allow.

"Now these laws very Expressly Declare the King's Majesty to be Supreme in all Causes & over all Persons whatsoever in his own Dominions, consequently Priests as well as others while they reside in this Province are Oblidged to obey his Lawfull Orders or of those Commissioned by him." Blame not to be laid on A. but on the priests for defying his authority.

Granting that the woman be such as de B. supposed, still as A. had information that a rich ship had been plundered, and several murders committed within his jurisdiction, it was his duty to make all inquiry into an "Affair so Intricate & Misterious, to discover the Authors of so Tragical an Event, & as I was determined to send a Commission Officer for that Purpose to Pombcoup, I thought proper to direct one of the priests to go along with him to admonish & exhort both French & Indians to make a Discovery of what they knew & to make Restitution & satisfaction for the Injuries they had Committed Mons.r Dentremont was of Opinion likewise that this would be the most Effectual means to Learn the truth. Nay, Mons.r Cheveraux seems now to be of the same mind, who I find has Stopt at Cape Sables in Defiance of my Orders, tho' he would not go half the way in Obedience to my Commands." Has sent home to the English authorities full statement of the case: until further orders he will not depart from his resolution, "neither to admitt of the return of these two Priests, nor any others tainted with such Rebellious principles."

(signed.)

L. Armstrong.

P. S. Bearer Mr. Macqueen son of an officer in this garrison commended to de B.'s favour.

Armstrong to Belcher. [165

Refers to A.'s previous letter *re* the "Baltimore," dated

June 19th. Has done all in his power to get clear light on this intricate affair, but unable to reconcile several circumstances "to the relations made by the person who calls herself Mrs. Buckler." Sends statement of Vane and Nolen sworn to before the Council, in confirmation of what A. had already written. Hopes B. will succeed in bringing Rich to justice. Two deserters from Capt. Hamilton's company and two others of the garrison left in A.'s yawl on the 11th inst: as one a native of New England, they will probably make for that province. Begs B. to assist Hamilton in recovering the deserters. 1736. July 29. Annapolis.

(signed.)

Otho Hamilton Sec. L: Armstrong

P. S. Forgot to state that Charles Muse mentioned in the declaration was pilot to Rich when he took away the mainsail, rigging &c of the "Baltimore."

Amstrong to Board of Trade.

Refers to their despatches of Sept. 18th, 1735 and May 7th last, noticing omissions and obscurities in A.'s of Sept. 27th and Dec. 8th, 1735. As most of the passages relate to Canso, refers the B. of T. to the Commanding Officer's report, whom A. will direct to send an account of the duties payable there, what ships employed in that fishery, to whom they belong and the number of English inhabitants. Effective force, nine companies in N. S. and one at Placentia. We try to keep them up to the establishment; they were full last fall and there has been but small loss since. The "Encouragement I published at Boston," on which the Board desires information, was a statement that A. intended to be there in the following summer to settle the rights of the traders, and to grant unappropriated lands upon the conditions prescribed by H. M. govt. Does not remember stating that there was no trade at Canso; refers for vindication to original despatch. Can add nothing to what he has said already regarding the Indian presents, state of Canso and the need of a fort there to protect the fishery: believes the B. of T. will do their best for the province. Has sworn in the Commissary of the Musters at Sept. 9. Annapolis.

1736. Canso as a member of the Council, a gentleman who has deserved well of the govt; and has granted two patents for lands and mines "up the Bay of Fundy."

(signed.)

Otho Hamilton Sec. L Armstrong

"P. S. Mr How the Gentleman who brings this having resided long at Canso will give Your Lordship a just acco^t of the State thereof."

Hamilton to the St. John Indians.[1] [166

Sept. 6. Annapolis. By the Governor's orders, writes regarding the two deserters who have fallen into their hands. According to the articles of the treaty of peace, all prisoners are to be released for a reasonable sum: the Govr has ordered Blin or Donnell to pay the Indians sixty francs for each deserter.[2] Hopes that there will be no difficulty in surrendering the men.

(signed.)

Otho Hamilton Secretaire.

Armstrong to Sec. of State. [167

Nov. 22. Annapolis. In his last A. gave his reasons for sending away the priests de St. Poncy and Chevereaux; now finds de Brouillan supporting them in their disregard of this government. Chevereaux stopt at Cape Sables as missionary to the Indians. De B. approves C.'s conduct, (as shown by his letters) and has sent back de St. P. to act as priest here.

"The minutes of Council will shew you how we have received him, by Forbidding him to Exercise his ministerial function & to Depart by the first Convenient Opportunity." Inhabitants have "Petitioned strongly for his Officiating this winter." Matter lying still before the Council undecided: all the letters and papers on this subject have been sent home. Expects the French court to make some stir therein. Enclosures: "N° 1 is Mr St Ovide's first letter after Mr St Poncy's Arrival at Lewisbourg; N° 2 is my Answer; No 3 is his Reply; N° 4 is Mr St Poncy's Declaration in Council;

1. In French:
2. "Soixante ffrancs Argent de Boston."

N° 5 is the minutes of Council and N° 6 is the Petition of the Inhabitants signed by One hundred & Seven of the Chief of them." From these the S. of S. can see how high the French governor carries his pretentions to the obedience of the priests: the people of the province are "absolutely Govern'd by their Influence." A. does not know what to do; suggests introduction of missionaries from other places; not paid & supported by the French crown: but this would be expensive. Begs intructions. Brigt. "Baltimore" A. has now brought into port "& as to the Person who called herself Mrs Buckler, I have now sufficient reasons not only to suspect her relation, but likewise herself; It is reported that the Vessell aforesaid sailed from Dublin last ffall with about sixty or seventy passengers, most of them Convicts, who it is supposed rose upon the Owner Mr Buckler, the master & Company & Committed a most barbarous Massacre, and afterwards not having their Course or afraid to Venture into any place where they might be known put in to a most unfre quented Harbour in this Bay, where they all perished (God knows how) Except that miserable Woman who perhaps was too deep involved in the Guilt to Discover the true story of their Misfortunes." 1736.

(signed.)

L: Armstrong

"N. B. That there was One of the same tenor & date sent to the Right Honourable the Lords Commiss.^rs for Trade & Plantations."

Hamilton to Mangeant.[1] [*169*

At the request of the Governor writes to M. regarding two men (well known to him) who have robbed Dolobara. As H. has not time, he desires M. to write orders to the deputies and the missionary priests to arrest these men if opportunity offers. Dolobara has been represented as a very worthy and generous man. H. sure that M. will be glad to oblige him. Council satisfied with the written excuses of the deputies, for not coming to pay their respects to the Governor. Would have replied by the two who brought the letter; but they left before he Nov. 22. Annapolis.

1. In French.

1736. aware of it. The deputies of Minas cannot do the Governor a greater pleasure than by arresting these robbers. Old Emanuel has complained that some of the inhabitants will not pay the tax of six sols per cord of wood. Governor and Council vexed at their refusal; order the deputies to carry out their commands; and to send in list of the contumacious with their reasons for refusing to obey (the two Belleisles to be exempt).

(signed.)
Otho Hamilton Sec.[y].

Hamilton to Deputies of Chignecto.[1] [*170*

Dec. 15. Annapolis. Had laid the letter of the people of Chignecto before the Council: which approve the choice of deputies, as well as their reasons for not attending on account of the bad weather. The Governor will be satisfied if in the future they send two instead of eight; viz., one of the old and one of the newly elected deputies, when they have a convenient opportunity. Governor has issued orders to O'Neal to collect and receive he King's rents and to act as notary public.

(signed.)
Otho Hamilton Sec[aire]

Hamilton to Mangeant.[1]

Dec. 15. Annapolis. By Governor's orders, writes M. to make a complete and exact account of the quit-rents from the time of Gen. Philipps' departure, with M[r] Bellehumeur, as no such account has ever been made out: and also a roll of the rents due the Crown. Thanks him for the trouble he has taken "touchant les Deux Hommes Appertenants a Mons[r] Dolobara."

(signed.)
Otho Hamilton Sec.[re]

Armstrong to the St. John's Indians. [*171*

1737. June 21. Annapolis. Refers to the treaty concluded by the tribe and the English in 1725 at Boston and afterwards ratified at Annapolis Royal; and to the article providing that in any case of robbery or outrage by an Indian, his tribe shall be held responsible. Is

1. In French.

informed that Stephen Jones, English trader, trading peacefully at Piziquid river, was surprised on the night of 1st inst. while he and his men were asleep and robbed to the value of about £900 "besides his Books of Accompts" valued at £700 more. Robbery committed by Thomas the chief, Claude Nicoute and his brother Francis Nicoute, Biscaroon and his son Barthelemy and Jacques Castle. Thinks proper to advise them of these facts, not doubting their readiness to do justice and make restitution; and further to take measures to prevent such things happening again. 1737.

(signed.)

Ent.[d] by me Otho Hamilton Sec.[r]y L Armstrong

The French translation follows [172]

Armstrong to Daniloo.[1] [173

Desires that he would read and explain the sense of the enclosed letter to the Indians: an English trader in a time of profound peace has been robbed "at Menis." Hopes he will use his best offices "that an Innocent Man may have Redress for his losses" Also to counsel the Indians to observe the treaty and transmit their answer by the first opportunity. June 21. Annapolis.

(signed.)

L Armstrong.

The French translation follows [174]

Hamilton to the Deputies of Chignecto.[2]

Sends them Governor's letter enclosed to the chiefs and other Indians of Chignecto in regard to the robbery and barbarous treatment of "Sieur Jones." Hopes they will explain it, and advise the Indians to make restitution according to the terms of the treaty. Governor has sent circular letters all about the province; and hopes the Indians will join in punishing the guilty persons. June 21. Annapolis.

(signed.)

Otho Hamilton Sec[taire]

1. "To the Reverend Father Daniloo Missionary Priest at St John River." Marginal note: "To the Priest Daniloo about Jones's Robbery."
2. In French.

Hamilton to Charles Dentremont. [175

1737. June 21. Annapolis. Encloses Governor's order to be read and explained to the Indians of Cape Sable. It concerns a robbery committed on an English sloop by nine or ten Indians at Piziquid. Indians bound by their honor and the treaty of 1725 to make restitution. Hopes D. will try to make them take measures to avoid the consequences of these actions.

(signed.)

Otho Hamilton Sec.[e]

Armstrong to the Secretary of State.

July 8. Annapolis. In his last (of Nov. 22nd, 1736) explained all proceedings regarding de St. Poncy. A strong petition from the inhabitants to have him officiate during the winter. The lateness of the season and no means of deporting him being at hand and his own submissive behaviour induced A. and the Council to allow him to remain during the winter, with some restrictions, as per minute No. 1. On the 19th of April last, Lt. Amhurst's house burnt down (with much loss of property) by an incendiary, his bound servant, a boy named Isaac Provender, who is now a prisoner; but there is no gaol, and "his confinement grows very troublesome to the Garrison." Has consulted a New England lawyer how far he could be proceeded against, as he is within the years of discretion: his answer marked No. 4. Still at a loss what to do with him: Council not empowered to try for capital crimes nor to inflict condign punishment upon such offenders. Wishes for instructions. Next relates to "a Villainous Robbery perpetrated by a few Rascally Indians at Piziquite" on Stephen Jones' sloop; No. 5 is an account of it. Circular letters sent by A. to all the Indians in the province: and to the deputies of Minas and Piziquid in accordance with the aforesaid minute.

(signed.)

Ent[d] by me Otho Hamilton Sec. L: Armstrong

N. B. One of the same tenor and date written to the Board of Trade, except one paragraph stating that in accord-

ance with their letter of Feb. 18th, 1736-7 five of the oldest councillors in this province are embarking to meet commissioners of the other provinces at Hampton, in order to settle the boundaries between Massachusetts and New Hampshire. 1737-8.

Armstrong to Mangeant. [177

Proclamation sent regarding the time for hearing, reading and examining the inhabitants' complaints and petitions. M. to have it proclaimed in the "Mass-House" either before or after mass for three successive Sundays and afterwards affixed "at the most Patent door of the Church," that no one may hereafter pretend ignorance of its provisions. On M.'s arrival at Grand Pré, he is to take copies of proclamation to be sent to the deputies of Piziquid, Cobequid, River Canard and also to O'Neal at Chignecto "to be there also published & affixed as aforesaid." Jan. 14. Annapolis.

(signed.)

Wm Shirreff Sec.ry L: Armstrong

The French translation follows [178]

Armstrong to de la Goudalie ?[1]

Baptiste Maffie appointed by the Governor-in-council to be constable at Grand Pré "for ye better administration of justice, the Ease of the Inhabts and the more speedy Execution of such Orders of Government" as may be issued. Danger of molestation and hindrance in the execution of his office. Priest expected to "prevent these Inconveniences": part of his duty to let the deputies and other inhabitants know that they must obey, and assist the constable in the discharge of his duty. Jan. 14. Annapolis.

(signed.)

Wm Shirreff Sec.ry L. Armstrong

The French translation follows [180]

Armstrong to Mangeant.

This by Cadet and Terriot's son in reply to M.'s two letters of Feb. 17th and 28th last, which have to-day been read in Council. Order to be served on Bellhumeur in case he does not March 2. Annapolis.

1. Marginal note: "To the Priest at Menis in relation to Maffie the Constable."

1737-8. settle the accounts of the King's quit-rents, to appear before the Council by May 2nd, and account to them for said rents. "And I advise you to use him with all the Lenity, Good humour and Complaisance that is Possible; And not to cause the said Writ to be served, but in Case of Necessity: But in the meantime you're to take particular Care to Hinder any Vessell to carry him off Otherwise than to this Place." Other order (as it may be an encroachment on another person's property) to be deferred till the situation of the marsh be visited and examined upon A.'s arrival. Plan herewith returned to be made more explicit by the addition of the points of the compass, "with it's proper bearings, buttings and boundings &c." Several words and even lines of M.'s writing illegible, wishes M. would write more distinctly. Will remember what M. has said regarding "those of the River Canard &c." Advises M. "to live as Peaceably and Quietly with all men as possible"; but to be both cautious and diligent in gaining knowledge "of such things as you are Intrusted with." A. has had hitherto no cause either to suspect or complain: very well satisfied with what M. has done in regard to the sheep and the bullocks. Expects to be in Minas soon.

(signed.)

Wm Shirreff Sec.[y] L. Armstrong

Armstrong to Mangeant. [*182*

March 6. Annapolis. Has received M.'s express per Francis Le Blanc, which is satisfactory: only sorry that M. and de la Goudalie have given themselves the trouble to intercede "for such gross offenders, who deserve no compassion, seeing they have without any manner of cause drawn their Misfortunes upon themselves." Though A. intended to make an example of them (deserters), he will spare their lives at the request of M. and de G. "as a token of friendship to you all." Hopes they will keep their promise in regard to future offenders: and will send all such to A. under a sufficient guard. Reasonable charges will be allowed.

(signed.)

Wm Shirreff Sec.[y] L. Armstrong.

Deputy-Judge-Advocate to Gould.[1]

General courts-martial a novelty here: D. J. A. directed by the Lt. Gov. to apply to Sir Henry Hoghton H. M.'s Judge-Advocate-General "Or to you, for a Solution to the following Query's": 1. Has the Lt. Gov. power to cause a sentence to be executed immediately, even if advised by a majority of the court, or must he, even at this distance, wait the King's will? 2. Can crimes cognisable by General Court be tried by a Regimental? and the sentence of the latter put into execution? 3. But in this case, what is to be done with a criminal in such a remote part of the world, where such a General Court can seldom or never be called? "is his Crime to be remitted rather than to be condemned to Corporall punishment by a Regimentall sentence?" 4. In such a case, or in "any other Emergency of Moment" can warrant officers of the Board of Ordnance, and commissioned staff officers be lawful members of such a court, "Especially when a Generall Court cannot be otherwise Composed for want of Regimental Officers as aforesaid?" If so "In what Order are they to sit at the Board, to prevent Disputes?" 5. Has the Gov. power to remit, mitigate or alter the sentence of the Court, or to pardon the criminal?[1] 1738. Ap. 4. Annapolis.

Armstrong to Deputies of Chignecto. [*184*

On further consideration of their letter and minutes, and promises of good behavior and obedience, A. is ready to comply with their reasonable requests, provided they comply in regard to the quit-rents. Requires them to pay the quit-rents with arrears to James O'Neal, his receipt being sufficient, and they are to bring their contracts to him, to be laid before the Council, taking his receipt, as before: or, they may bring them to the Council themselves, as was ordered on Ap. 29th, 1738. If they comply, they will meet with a kind and agreeable reception. March 31. Annapolis.

(signed.)

Wm. Shirreff Sec.ry L. Armstrong.

1 Unsigned by Deputy-Judge-Advocate: but countersigned by Shirreff as Secretary.

Armstrong to O'Neal.

1738. March 31. Annapolis. Desires O'N. to read and interpret faithfully letter enclosed to deputies and inhabitants of his district, so that they may not pretend ignorance. "And in Order to put a stop to all Complaints offered by them against your self I would have you to treat them with Civility, Tenderness and good Nature in the Execution of your Duty and let them know with mildness the Consequence of their Obedience or Disobedience to this his Maj^ts Government, which delights neither in Cruelty nor Harshness." O'N. is to collect the rents at once and turn them over to Wm. Winniett, or others as occasion will best serve. In case of refusal to comply as heretofore, the objectors are to be summoned to Annapolis "to show Cause for such Disrespect."

(signed.)

Wm Shirreff Sec.^ry L Armstrong.

Armstrong to Le Mercier.[1] [*185*

Ap. 10. Annapolis. Received Le M.'s letter of March 6th with petition relating to Sable Island. Encloses minute of Council. Council of opinion that as Le M. seems unwilling to pay a penny stg. quit-rent per acre, the matter be referred home to Secretary of State and Board of Trade. In the meantime, Council will issue a proclamation forbidding all persons to kill the petitioner's cattle which are or may be landed on the island. A. willing to promote his interest: but Le M. should have applied to him first, before sending "such a stock of Cattle thither upon such an Uncertainty."

(signed.)

Wm Shirreff Sec.^y L Armstrong

Amstrong to Board of Trade. [*186*

Ap. 10. Annapolis. Since his last, has had letter and petition from "One M^r Le Mercier, a french minister in Boston (who calls himself an Englishman by Naturalization)" praying for a grant of Sable

1. "Mr. Andrew Le Mercier, a ffrench Minister in Boston." See *Trans. Roy. Soc. Can* 1894. Sec. II, p. 11.

Island to himself and associates. In accordance with resolution of Council, transmits copies of them to B. of T. to know the King's pleasure thereon. 1738.

(signed.)

Wm Shirreff L Armstrong

Armstrong to Cosby.[1]

Hopes that he has passed an agreeable winter and that he and his force are in good health. In N. S. "We here have had a very moderate Winter and Early Spring": all the more surprised not to have heard from C. or anything concerning the arrival of Capt. How at Canso; "he having Sailed from London the latter end of September last." Also concerned that C. did not forward provisions and clothing for the detachment, which was reduced to great straits. C.'s family all well. Winniett sailed a few days ago for the Bay. Proclamation sent herewith to be published. C. to give all assistance to the enterprise mentioned in it, and to encourage the fishery; see that every one gets his rights, to prevent future complaints. There have been not a few already. Supposes C. has heard "the most Dismall & Melancholy news of the Queen's Death," which A. learned from the Boston vessels. "I need not direct you what is to be done in that Respect." Sorry to learn of differences between C. and his officers. "I heartily recommend to you Peace and Unity as it is for the good of his Maj^ts Service and the Benefit of the whole Corps." Ap. 10. Annapolis.

(signed.)

Wm Shirreff Sec.^y L: Armstrong

Armstrong to Mangeant. [*187*

Received two letters from M. by Le Prince, one dated May 28th, N. S., and the other undated. Writing so hurried and words so contracted, that A. can only make out that M. was fatigued with his voyage, and had a quarrel with Bellhumeur, on no other ground than that B. could not immediately proceed on board M.'s vessel for Chippody. B. excuses himself to A. on the ground of his health, and is now ready and willing to May 27. Annapolis.

1. At Canso.

1738. go;—but in a canoe rather than in M.'s vessel, which is not safe in the strong and rapid tides. A. does not blame B. on this occasion. Advises mildness and to guard against all violent and disagreeable proceedings.

(signed.)

Wm Shirreff Sec.[y] L Armstrong

"P. S. Fail not to send the Rent Roles"

Council to Philipps[1] [186

June 10. Annapolis. Understand that there is a project to settle the province more effectually: beg to remind P. why it is not now in a better condition. 1. The French inhabitants allowed to remain in their possessions, no proper subjects could be found to establish a government in accordance with the laws of England. They are Roman Catholics and unqualified to form a House of Representatives. 2. Their possessing the best lands has been a discouragement to possible English settlers "to Offer themselves for Settling any New and uncultivated Lands." 3. The penny an acre quit-rent and the possible tax of another penny is a great discouragement to settlers, especially as very good lands may be had in the adjacent provinces without any such tax. Mascarene who tried to get settlers from the neighboring province found this penny tax the chief objection. 4. Except for these discouragements, the province would have made greater progress and civil government been established in all its branches; latter not incompatible with military occupation, which is an absolute necessity to keep the numerous French to their duty: and protect settlers from Indians: force should be greater. Refer P. to document dated July 13th, 1734, for state of province and of Canso.

"As We understand that some Opposition has been made to some Proposalls of a New Scheme offered by you for the Settle[t] of this province; if it should arise from reflections cast on the administration of the Government by Reason of the Councils Consisting of Officers who have Posts in y[e] Troops,

1. The numbers 186 & 187 are repeated: the original index runs only as far as
187. Armstrong to Mangeant.

(which indeed could not otherwise have been composed nor kept up for want of other Brittish Subjects) they must be without Grounds, Since we can each of us Answer to our Consciences, that we have Acted in our Said Capacitys with a due regard to the Liberty and Property of the Subject and the Peace and well being of his Majesty's Province, and have never been wanting in sending proper Representations of the State of it to which We humbly Referr, and have to the utmost of Our Capacity and Power Endeavoured to Discharge our Duty by an Equall and Impartiall Administration of Justice in all Cases which have been laid before us, Having never had any advantage or Salary for Our Acting as Members of his Majesty's Council for this Province." 1738.

(signed)

Eras Jas Philipps	L Armstrong
Otho Hamilton	P Mascarene
John Handfield	John Adams
Edward Amhurst	Willm Skene
John Slater	Willm Shirreff

Wm Shirreff Sec.^{y}

Shirreff to Edward How. [*188*

In reply to How's request of June 29th, for two more Justices of the Peace at Canso, Francis Cogswell "admitted of, but not the Other Because of his Occupation Only." As the character of the men at Canso and their manner of life are unknown to the Governor and members of the Council, S. sends one commission for Cogswell and three blank "to be filled up in such persons Names whose Business and Characters may be Suitable to the Intent and Dignity of Such a Commission." Power given to How and the other J. P.'s to fill out the blanks: the names of those chosen to be sent to the Governor. Aug. 11. Annapolis.

(signed.)

Wm Shirreff Sec.^{y} Wm Shirreff Sec^{y}

Armstrong to Sir Wm Yonge.

1738. Dec. 13. Annapolis. By virtue of a Royal warrant of Feb. 14th, 1737-8 for trial of Capt. John Jephson of Philipps' Regt. put under arrest at Canso by Major Alexander Cosby of the same regt. on Sept. 11th, 1737, "for frequent Breach of Orders, and his Irregular Conduct as an Officer." A. called a general court-martial as soon as he could get the proper number of officers together. Transmits sentence of the court. Deputy-Judge-Advocate sends whole proceedings of the Court to the Judge-Advocate-General.

(signed.)

Wm Shirreff Sec.[y] L. Armstrong

Armstrong to Sir Wm. Yonge. [*189*

1738-9. Feb. 5. Annapolis. Maj.[r] Alex. Cosby confined Capt. Patrick Heron (of Philipp's Regt.) at Canso on Dec. 3rd, 1737 and ordered him to Annapolis for trial. On exhibition of the Maj.[rs] complaint against him, called a court-martial on Nov. 22nd, by virtue of Royal warrant, of Ap. 1st, 1738, "as I did that of Captain Jephson's the 13th of December last." Deputy-Judge-Advocate has sent proceedings of both Courts.

(signed.)

W[m] Sheriff Sec[y] L. Armstrong

Armstrong to Capt. James Mitford.[1]

1739. Ap. 13. Annapolis. Refers to Heron's court-martial Some of the accusations against him are that he is indebted to some of the men of his company for their subsistence, by giving them notes and afterwards refusing to pay: proofs not clear, as Heron alleges in rebuttal that he paid the men and holds their receipts. M. directed by the general court-martial to hold a regimental court-martial to ascertain the facts "that the Men may have Justice done them." Heron also prefers counter charges against "Cosby, during his Command at Canso": and as H.'s proofs and witnesses are at Canso, M. is to examine them by means of the regimental court-martial. A. has letter from Gould forbidding further issue of clothing for more than twenty-six men, which

1. Commandant at Canso.

M. is to observe until further orders. Hopes the troops are well. This o..ɔ of the longest winters he has known in this country. 1739.

(signed.)

Wm Shirreff Sec.ʸ L. Armstrong

Armstrong to Peter Bergeau (at Chignecto). [*190*

Acknowledges receipt of B.'s letter by Mr. Dueron "with the State of yᵉ Inhabitants Plantations, which with the Petition of the Inhabitants being laid before the Council, you will see by the Minute thereof sent by Mr. Dueron that they have been considered." Intended to have sent him what he required besides; but will wait now until B. visits Annapolis. Has sent an order by Mangeant for B. to pay over rents to him (M.) May 2. Annapolis.

(signed.)

Wm Shirreff Sec.ʸ L. Armstrong

Armstrong to Mangeant. [*191*

Received M.'s: thanks him for information. According to M.'s request, A. sends him order to Bergeau "for him to Deliver to you what of his Majesty's Rents he has Received at Chiconecto." M. is to bring from B. "an Account of the Quantity of Each Specie delivered you." Must consider one paragraph of M.'s letter more fully before answering. Wishes him a good voyage and a happy return. May 2. Annapolis.

(signed.)

Wm Shirreff Sec.ʸ L. Armstrong.

Armstrong to Shirreff.

Edward Amhurst has informed A. "that he cannot Comply with an Instruction . . . Ordering him to keep a very particular and plain Accoᵗ of all Grants and the Surveys then made upon in a Regular Book to be carefully Reserved and Kept to Decide any Disputes between the King and Private persons—or between Man & Man with Orders to give a survey and Plan of Lands to Each Grantee signed by himself and to enter the like in said Book for the aforesaid Purposes and to Aug. 4. Annapolis.

1739. transmitt Copy's of the same to the Surveyor Gen.[1] Col. Dunbar that he may Acquaint the Officers in England of the Particulars of the Several Grants to private persons as well as what shall be sett apart for his Majesty because Several Patents have been granted for Plotts & Tracts of Land which have not been Surveyed by him nor he Acquainted therewith, This is therefore to Acquaint you that for the future You are not to make Out a Patent or any Others Survey or Estimation then made by the Surveyor Gen.[1], Col. Dunbar or One of his Deputy's and that you do in every Grant Specify his Name or the Name of such Deputy of his as Shall Survey the Lands to be laid out."

(signed.)

Wm Shirreff Sec.[y1] L: Armstrong

Armstrong to Shirreff. [192

Aug. 4. Annapolis. Deputy-Surveyor has shown A. plan of township laid out for Edward How and associates conformable to Council minute dated Aug. 8th, 1738: and has made a written report that there is no quantity of timber within the limits worth reserving for the King's service. S. is therefore to make out a patent for the township.

(signed.)

Registered Wm Shirreff Sec.[y] L. Armstrong

Shirreff to Armstrong.[2]

Aug. 6. Annapolis. Preamble rehearses having received A.'s directions "last Saturday" in regard to Amhurst, Deputy-Surveyor and orders to draw a patent forthwith "for a township at Chickabucto by the Gutt of Canso in favour of Edward How Esq. & Company . . . the same being now laid Out And Surveyed by the said Surveyor." S. considers it his duty to point out that "the said minute" (of Aug. 8th, 1738) "was then but a Crude and Indigested answer to an Indefinite demand till first Bounded and Surveyed and that since the aforesaid minute the Officers in Garrison at Canso and several others there being thereby Allarmed have Remonstrated to your Honour and the

1. Note. "Registered by Wm Shirreff Sec.y" signature.
2. Marginal note: "The Sec.y's Answer to ye above two Letters."

Council what a Prejudice such a Grant will be to his Majesty's said Garrison and his Other Subjects of that Place," and advises that the matter may be reconsidered by the Council and the grant passed and the patent made out in due form. 1739. Aug. 6. Annapolis.

"As to what Relates to any of the Surveyors in particular I presume I am only to Regard your Commands; and concluding what I've thus Said to be my Duty I therefore am with Great Submission & Respect."

(signed.)

Wm Shirreff Sec.[y] Will[m] Shirreff[1]

Armstrong to Shirreff. [*193*

Has received S.'s of the 6th inst. Points out that there is no precedent for re-assembling Council, to re-consider a matter once assented to; has never been done during his term of office. Is sorry S. calls the action of the Council crude and undigested. Points out how such reconsideration will discourage settlers, especially after a survey, which can only be made in this country by fitting out a vessel and hiring hands to protect the surveyor against the Indians,—a matter of great expense—and that grants which form a title must always precede a survey, for no one would think of going to the expense of a costly survey of land to which he would after all have only a precarious title. As to the remonstrance from the officers at Canso, A. should expect it to be addressed to himself and to come from the commanding officer. Has heard recently from him and he makes no mention of the matter. Therefore cannot imagine that the founding of a township of H. M.'s Protestant subjects up the bay can affect the garrison injuriously. It is the King's desire to have the province settled; and this is all the more necessary in view of the great increase of the French population. Renews his instructions. "I Doubt Not you Will Proceed to form a Patent According to my former Orders Conformable to His Majesty's Instructions." Aug. 8. Annapolis.

(signed.)

Registered Wm Shirreff Sec.[y] L: Armstrong

1. Not in Shirreff's hand.

Shirreff to Armstrong. [*195*

1739. Aug. 9. Annapolis. Has received A.'s of the 9th inst. Though humble of the same opinion about granting How's patent. Adduces precedent of the colliery, which after being surveyed, had its boundaries adjusted in Council, new names given to different places and the patent laid before the Council before being finally granted. Still thinks that all matters of such importance should be weighed by the Council, especially if attended with disputes. Capt. Mitford's silence does not, in S.'s opinion, cancel the officers' complaint: it may be urged on either side of the case. In accordance with H. M.'s instructions, the complaint should be considered by the Council. Does not see how he can draw up a patent "by and With the Advice and Consent of The Council" till that is first obtained. Is still of opinion that the minute of August 8th, 1738, is not sufficient authority. Further reasons. (1) The Royal Instructions require a certain proportion of unprofitable land to be granted with the profitable, and no tracts to be granted running along the sea-coast or rivers. S. is a stranger to this territory: the Council should meet to give assistance and advice on this matter. (2) All such townships are to be divided into town-lots, and granted according to the capacities of the settlers, no one of which is to have more than 1000 acres, either in his own or any other name. (3) In making out a patent in the name of a company, the names of all the members should be known to avoid transgressing any part of H. M.'s instructions. S. needs the Council's help, if he is to avoid errors. Wishes from his heart there were five hundred townships for one, settled in accordance with the King's instructions. Would do all in his power to help, not hinder.

(signed.)

Registered. Wm Shirreff Sec.[y] Wm Shirreff.

Armstrong to———[1] [*197*

Aug. 13. Annapolis. John Dyson, storekeeper, has complained of Joseph Dugan, bombardier; A. has called a convocation of regimental officers

1. No address: but plainly intended for the head of the Board of Ordnance.

to enquire into the matter, forwards proceedings, and awaits instructions from the Board. 1739.

(signed.)

Registered by Wm Shirreff Sec.y Lawrence Armstrong

Newcastle to Armstrong. [*198*

Rehearses that as the King of Spain has failed to pay down the £95,000 agreed upon (on Jan. 14th, 1738) as balance of compensation due for injuries to British subjects, H. M. George II "has thought himself Obliged to take Such Measures on his Part as are necessary for the Support of the Honour and Dignity of his Crown, the Security of the just Rights of his Subjects and the good and safety of his Dominions"; and has therefore ordered the ships and effects of the King of Spain and his subjects to be seized and taken wherever they shall be met with. A. is to warn settlers in all parts of his government against Spanish reprisals, and that they may "Annoy the Subjects of Spain in the best Manner they are Able." Sends herewith Royal warrant for issuing letters of marque against Spain. A. is to be "very Rigorous and Severe in preventing any Ammunition or Stores of any kind from being Carried to the Spaniards." June 15. Whitehall.

(signed.)

Registered by Wm. Shirreff Sec.y Holus Newcastle

Warrant follows.[1] [*199*

Rehearses the reason for ordering reprisals upon Spain: depredations of Spanish garda costas and commissioned ships in the West Indies: many cruelties and barbarities to British subjects; no satisfaction for injuries made by Spain; violations of the agreement Jan. 14th, 1738, by failure to pay the damages stipulated. Therefore "We do . . . Authorize and Impower you" to issue letters of marque and reprisal, provided that the usual securities are given. June 15. Kensington.

(signed.)

By His Majesty's Command

Registered by Wm Shirreff Holus Newcastle

1. In the King's name: addressed to Philipps with his full title, or in his absence to the Commander-in-Chief, or the President of the Council in N. S.

Armstrong to Philipps. [201

1739. Aug. 27. Annapolis. Acknowledges receipt of orders from the Duke of Newcastle in regard to the violation of the treaty on the part of Spain, and to the issuing of letters of marque: informed his officers of the same. In view of the "Dismall and Melancholly Situation of the Troops at Canso who must Certainly fall a Sacrifice (being Without all Manner of Defence)" in case subjects of France or others should attack them, A. re-assembled his officers for their advice on the matter: and transmits herewith their opinion.

(signed.)

Wm Shirreff Sec.y L. Armstrong[1]

Adams to Board of Trade.

Dec. 8. Annapolis. By Armstrong's "Surprising and Melancoly Death," A. has became President of the Council, has convened them and will act by their advice. "It hath been Observ'd that Governor Armstrong has been for a long time frequently Afflicted with Melancholy fitts, the Consequence of which none ever Suspected till they found him Dead on Thursday 6th Instant. On whose Body, Maj.r Cosby Lieut. Gov.r of the Garrison, having Ordered the Officers to Sitt, they Brought in their Verdict Lunacy." We condole the misfortune and hope for a successor. As to the state of Canso, it has been frequently represented and is well known to Philipps; it is defended by only four companies and must fall a sacrifice to the enemy, in case of war.

(signed.)

John Adams.[2]

Adams to Philipps. [202

Dec. 8. Annapolis. As Gov. Armstrong put an end to his life on the 6th inst. A. thinks it his duty to acquaint P. therewith, and further that the jury of officers appointed by Cosby brought in a verdict of

1. Written and signed in a very shaky hand, possibly by Armstrong himself. He committed suicide on Dec. 6th, 1739. See for confirmation MS 24, Adams Letter Book, Dec. 8th, 1739.

2. Memo: that letter of same tenor and date sent to Duke of Newcastle countersigned by Shirreff.

Lunacy. A. has convened H. M. Council, and, by their advice, informed the Board of Trade and the Duke of Newcastle of these events. 1739.

(signed.)

Wm Shirreff Sec.[y] John Adams

Adams to Gov. Belcher. [*203*

Only time to acquaint B. with the death of Gov. Armstrong, "who put a Period to his life with his own Hands the 6th Instant." Doubts not that B. will be informed of the state of the garrison and province by Major Mascarene.

(signed.)

Wm Shirreff Sec.[y] John Adams

Adams to King Gould.

Though a stranger, A. is emboldened by his knowledge of G.'s character, to ask his good offices in securing from Philipps, for A., the usual allowance for discharging the duties of Governor, devolving upon him through Armstrong's suicide on the 6th inst. Dec. 10. Annapolis.

(signed.)

Wm Shirreff Sec.[y] John Adams

Shirreff to Mangeant. [*204*

Acknowledges receipt of M.'s letter by Forrest: hopes to see him "here" as soon as the weather permits, and that he will bring with him what S. has so long expected. Through the death of Armstrong, of which M. has no doubt heard, the government has devolved upon Adams, who directs S. to send the enclosed summons for the Deputies to appear before the Council, give an account of their election and receive orders. Hopes he will forward, as soon as possible, the enclosed summons of the same tenor to Bergeau, and to the Deputies of Piziquid and Cobequid. 1739 40. Jan. 14. Annapolis.

(signed.)

Wm Shirreff Sec[y].

Shirreff to Bergeau.

1739-40. Jan. 14. Annapolis. Acknowledges receipt of B.'s and hopes to see him "here" as soon as the weather will permit. Through Armstrong's death, the government has devolved on the President of the Council. Is directed by Hon. John Adams, President of the Council, to send enclosed summons for the Deputies; to appear before the Council, give an account of their election and receive orders. Hopes he will duly deliver the summons and inform the deputies and the other inhabitants "that Application is on all Occurrances to be Made to the Hon[l] President and the Council as formerly."

(signed.)

Wm Shirreff Sec.[y]

Mascarene to Bergereau.[1] [205

March 24. Annapolis. As B. has been employed by Armstrong in the affairs of Chignecto, M. has thought proper to send the enclosed (proclamation) to be read to the inhabitants and afterwards posted in a public place. B. will give as full an account of the business as possible, marking what has been remitted, what he has in hand and what remains due, that all may be laid before the Council. Can be assured of M.'s support, esteem and kindness in so far as he conducts himself towards the Government in accordance with his promises. Assure the inhabitants of the same. Winniett, who will hand him this, will tell him also of the news from Europe. As M. has a high regard for W. and his family, hopes that B. will treat him well. Expects one or two of the deputies to come to Annapolis and give an account of the state and feeling of the inhabitants of Chignecto.

(signed.)

Wm Shirreff Sec.[y] P. Mascarene.

Mascarene to Mangeant.[2] [206

1740. March 25. Annapolis. Along with notification of Mascarene's arrival, he encloses a proclamation to be read and afterwards posted in a most public place, that no one may pretend ignorance. Copies

1. In French.
2. In French.

to be sent to Piziquid and Cobequid for the same purpose. 1740.
Wishes to use only methods of gentleness and justice. Will be glad to see one or two of the deputies as soon as possible, to make the usual reports. Mangeant must inform him in regard to the King's rents, what he has received and what is still due, paying over what he has at present, in order that all may be laid before the Council. Has written also to Bellehumeur on the same subject. Wishes to preserve the peace and do justice to all. Bearer will give the public news:—France had not declared in favor of Spain by February last and did not seem inclined to do so. It will be to the interest of the *habitans* not to render themselves suspects, since the people of New England would ask nothing better than to take possession of lands cleared and ready to receive them.

(signed)

Wm Shirreff Sec.[y] P. Mascarene[1]

Mascarene to Bellehumeur.[2] [207

Refers to their old acquaintance. Informs B. of his arrival and sending proclamation to Mangeant. Wishes him also to give an account of the King's rents (as both he and Mangeant have been employed on this business together.) Wishes one or two deputies to come to A. and report on the condition of the *habitans* at Minas, Piziquid and Cobequid. March 25. Annapolis.

(signed.)

P. Mascarene.

Entered by His Hon.[s] Order.
Wm Shirreff Sec.[y]

Mascarene to the Annapolis Deputies. [208

The enclosed to be read and posted up in the most public manner, that no one may pretend ignorance. If not one of the deputies, anyone whom it reaches, is to publish it. Expects the deputies of this river "aprez les fêtes." Ap. 4. Annapolis.

(signed.)

Wm Shirreff Secy.[3] P. Mascarene.

1. Below this signature is a note: "N:B: that a letter upon the Same Subject was Sent to Cansoe; Directed to Edward How Esq. to be there Published."
2. Marginal note "Monsr. Bourg."
3. Above Shirreff's signature: "A Messieurs les Deputez de cette Riviere D'Annapolis Royalle ou a celuy ou ceux d'entre eux entre les Mains de qui la presente Sera remise A Annapolis Royalle."

Mascarene to St. Poncy.

1740. Ap. 23. Annapolis. Sends St. P. the passport required. Surprised to find that St. P. must spend three or four months at Minas. M. knows that there are not many opportunities of getting into French territory from this place and so does not wish to limit the duration of his visit; but, as there are as many of his profession as "we" judge to be necessary for the *habitans*, St P. is not to settle, or to exercise his office in any part of the province, but to withdraw as soon as possible to French territory. The contrary may prove disadvantageous to the liberty which the *habitans* have hitherto enjoyed. Has received what he believes to be a reply to M.'s rejoinder touching the religious controversy. Has not had time to read it, but when he does, he will not fail to make the comments necessary.

(signed.)

Wm Shirreff Sec.[7] P. Mascarene

Mascarene to Deputies of Minas.[1] [209

May 14. Annapolis. Informs them that war has been declared here with Spain. To regulate their conduct accordingly. Would have sent them the proclamation, but it is long and in English and they would not understand it. "Le Sieur Bellhumeur" knows the contents and can inform them about it, as well as about other things touching the King's service, of which M. has spoken.

(signed.)

Wm Shirreff Sec.[7] P: Mascarene.

P. S. His compliments to "Monsieur de la Goudalaye." Will he excuse him for not writing at this time? Bellhumeur can tell him that M. has scarcely a moment to himself.

Mascarene to Cosby.[2]

May 13. Annapolis. As the King has signified that war is to be declared against Spain in all the governments of America, M. sends C. one of the proclamations, to be read, "and Proclaimed in the most Solemn manner that this place is Capable of to morrow th

1. This and the preceding seven letters are written in French.

2 The Hon. Alexander Cosby Esq. Lt. Gov. of the Fort and Garrison of Annapolis Royal and Commander of Maj. Gen. Philipps' Regiment.

14th Instant Between the Hours of Ten and Twelve in the morning." Sends another proclamation for the commander at Canso. 1740.

(signed.)

Wm Shirreff Sec^y P. Mascarene

Mascarene to the Deputies. [*210*

By the order sent to give Brosard possession of his land, which was long ago adjudged to him by the Council "on the Report of The Arbitrators Chosen by the Parties by Common Consent," M. finds that there are amongst the *habitans* perverse and obstinate people who will not conform themselves to the various sentences and orders. Only those who obey can expect to enjoy the protection of the British government; those who disobey will feel its power. Those who so submit have the right of appeal in cases which have been decided against them, in case they have new proofs to adduce: but if the judgment in the appeal is also against them, they must pay costs, "Which will be a means to prevent Stubbornness and Litigiousness." As it is to the deputies that the government orders are directed, they are to give all assistance in getting them carried out: and to return the names of those who refuse to obey. Reminds them of the regulation of Sept. 11, 1732, that the *habitans* are to elect their deputies on Oct. 11th, of each year, whose names shall be returned here by one new and one old deputy, to give an account of the administration of the preceding year and to receive instructions for the coming year; together with a "Power" signed by the inhabitants, constituting the new chosen deputies, and showing that they have been chosen by the majority. By these means, law and order will be again on a good footing, especially if the deputies chosen are men of good sense, reputed honest, possessed of valuable lands and having the common good at heart. Such men will maintain peace, assist justice, and prevent the misconduct of a few from putting the whole population in the wrong, "or Become Suspected to the Government under whose Subjection they are and to Which they have Taken an Oath of fidelity." Both deputies and people gener- May 27. Annapolis.

1740. ally are to take care that no missionary priest settles in any district or officiates without the government license. Inhabitants not to apply, or send, for any priest without first obtaining Government's permission, as such proceeding may bring the forfeiture of the "Indulgence they have heitherto Enjoyed." Deputies to report the presence of all strangers, the nature of their business and the time they intend to stay. Mangeant wishes to give up receiving the King's rents, and makes up his accounts to the end of 1739: those who remain debtors to that time are accountable to him. From the beginning of 1740, they will pay the persons appointed. This letter, with all containing any regulations or orders, is to be left in the office of Sieur Alexander Bourg, notary for the districts within the Gut of Minas, that they may be consulted when necessary; Bourg to send copies to the districts as required, within the Basin of Minas as far as Cobequid.

(signed.)

Wm Shirreff Sec.[7] P: Mascarene

Mascarene to Bourg.[1] [212

June 2. Annapolis. In giving B. his commission as notary, M. forgot to administer the oath to perform his duties honestly, which neither B. nor any person could refuse. Sends the form for signature, at the same time oath on the Gospels to be administered by Blin, who has power as justice of the peace to administer the oath. Has heard by Blin, that Cosby has been made Lt. Col. and himself Major in Phillipp's regt. through Armstrong's death. Nothing changed in the civil government.

(signed.)

Wm Shirreff Sec.[7] P. Mascarene

Mascarene to Wm Pegrum, Surveyor Gen. [213

June 7. Annapolis. Writes an account of murmuring among our traders. Some of them break bulk in different parts of the bay without first entering here. Those who do obey the law find themselves anticipated[2] by the less scrupulous, who supply the various harbors. By this plan freight from Boston may take three or

1. In French.
2. "Prevented," in its old meaning.

four months to reach A., to say nothing of the risk. Passengers will be delayed, "Unless they are Dispos'd To Take the Grand Tour." Another grievance is that vessels from up the Bay go to New England and Cape Breton without clearing from A. or Canso "the only Two Ports of This Province." This done in little vessels by the French inhabitants, who become carriers for the Boston traders. It will lead them to disregard this place, the centre of government, "Where on all Occasions we would Oblidge Them To Resort to." Has not been able to master the regulations of the Act of Trade but writes to P. that "you may Act your Part in What Belongs To you and Please to Advise me What is Proper for mine." Refers to "Our Good frind Captain Wybault" to give an account of "Our Transactions & Our way of Liveing Here." 1740.

(signed.)

Wm Shirreff Sec.[y] P. Mascarene.

Mascarene to des Enclaves.[1]

Reason for not writing before, merely lack of time; always glad to correspond with gentlemen of des E.'s profession, who comport themselves in an honorable manner during their residence in the King's dominions. This may be seen by M.'s proclamation and letter to the Deputies, the purport of which des E. may not know; these will prevent him doing anything to the prejudice of himself and of the inhabitants. The King of Great Britain is supreme in this province and recognized as such by the King of France. All living here must recognize his supremacy also, and do nothing contrary to the laws of G. B., which do not admit the jurisdiction of the Church of Rome within the King's dominions. Hopes that he shall not have to revert to des E.'s conduct. Ends politely. July 4. Annapolis.

(signed.)

Wm Shirreff Sec.[y] P: Mascarene

Mascarene to Abraham Bourg.[2] [214

Has ordered the secretary to send herewith one of the proclamations, which is to be read and posted up. The one sent to B. is to be kept for making facsimiles ("pour estre July 4. Annapolis.

1. In French: addressed, "Monsr des Enclaves, P. M. att Manis.
2. In French.

1740. gardée aux Griffe"); copies of which are to be sent to the various settlements in B.'s district. The intention of M. and the Council in this is not to deprive the *habitans* of their religious rights but to hinder the priests from exceeding their powers; which may bring trouble upon them and deprive them of the privilege they have hitherto enjoyed. As soon as these gentlemen disregard the orders of the government and exercise powers repugnant to the laws of G. B., it is certain that they will not be allowed to remain in the country; and those who shall support and maintain them, contrary to the laws, will render themselves liable to punishment. Get the *habitans* to consider the matter, and if they regard their own interests, they will see nothing but justice in our proceedings. Enclosed what he had previously written, having no time to add more.

(signed.)

Wm Shirreff Sec.[1] P: Mascarene

Mascarene to the Deputies of the Prov [215

July 4. Annapolis. Reason for this proclamation, the offence given to H. M. government "By Publishing an Excommunication with intention to Deprive of all means of Livelyhood one who not only has had the Protection of a Subject but is actually in a Publick Employ." Missionaries seem to think it not sufficient that the *habitans* enjoy their religious rights; but they themselves assume powers not allowed by the laws of G. B. and consequently excluded by the Article (14. of the Treaty of Utrecht) securing the exercise of their religion to the French. Deputies and missionaries advised to keep within the bounds prescribed by law. As long as they do so, they will have the protection of the government. If the missionaries misbehave, those who support them may expect to be called to a severe account. This to be communicated to the succeeding deputies and to serve as a rule of conduct in time to come.

(signed.)

Wm Shirreff Sec. P. Mascarene.

Mascarene to Bergeau.[1] [*216*

1740. July 7. Annapolis.

Has received B.'s of July 3rd per Winniett with his commission from late Lt. Gov. of the province. Not necessary to send it but only to show it, for M.'s proclamation continues B. in his position like every other officer. Returns B.'s commission with written approval, which will be sufficient until B. can come in person to Annapolis, as he intends to do, and get another. B. must send a statement of the rents collected: as the papers of the late governor are not in good order. Bellehumeur, Mangeant, and "Duyon" have made out their papers clearly for this river, "toutes les Mines et Cobequid," and received their quittance from the Council: B. the only "receiver" to report: can get paper from Blinn, who has gone in B.'s direction: would have sent some himself, if he had had fitting occasion. In regard to the rents received and to be received and the means of remitting them hither, all the contracts carry the condition of being paid here at the seignorial mansion; it therefore lies with the *habitans* to find conveyance, but to make things as easy as possible, B. has only to sell the proceeds of the rents, and remit them in money, notes or bonds upon the merchants trading to Annapolis[2]; for which M. will give a valid receipt. As the late governor (or his heirs) are responsible to the King for what was received of H. M. funds, O'Neil must pay his own debts, and B. has only to mark in his statement the amount O'N. still holds. Sends proclamation to be read and posted up at Chignecto: its contents and M.'s open letter to the Deputies will explain why it is necessary. It is to the interest of the inhabitants of this province to comport themselves as loyal British subjects and not as rebels; or trouble may come upon them which will involve the innocent with the guilty. Enquires for Blin, who has been very ill at Minas.

(signed.)

Wm Shirreff Sec.[y] P: Mascarene

1. In French.

2. "en argent, ou en Billets on eu Obligations Sur les marchands qui viennent icy."

Mascarene to Charles Dentremont.[1] [217

1740. July 23. Annapolis. Rehearses the reason for the appointment of deputies. As D. has been regarded as Deputy from Cape Sables, and represents "the Affairs of Those people Inhabiting at Pobumcoup and Bauaroraux Passage," encloses proclamation and other papers "to be there Published." If any of the people encroach on one another's property, or commit injustice or trangress the orders of the government, D. is to inform the Governor, or in his absence, the commander-in-chief and Council. Day for electing deputies, Oct. 11th, N. S. If it fall on Sunday, the election is to take place on the following Monday. If the people do not think fit to continue D. in the office, they are to elect one or two in his place. In this case, the government is to be notified and the new deputy sent to Annapolis, as soon as possible.

(signed.)

Wm Shirreff Sec.[y] P. Mascarene

Mascarene to Bourg and Deputies of Piziquid. [218

Aug. 23. Annapolis As a dispute is likely to arise between Peter Bennit, Martin Bennit "and Their associates" on the one side, and the family of the Forrests on the other, in regard to a piece of marsh and the channel of a mill at Piziquid, which caused M. "Upon the Representation of Mr. Peter Landry of Said Place" to send the Bennits an order of this date forbidding them to disturb the Forrests in possession of the estate they have purchased, until they appear before the Commander-in-chief and Council and obtain permission, in case the Bennits do interfere, B and the Deputies are to "Examine into the state Of Their Difference" that the nature of it may be more easily comprehended and decided by the Council.

(signed.)

Wm Shirreff Sec.[ry] P: Mascarene

Mascarene to Bourg.[2] [219

Aug. 23. Annapolis. Received B.'s letter by Hautbois an hour ago: is glad to learn that the division of River Canard between the Landrys

1. Original pagination ceases.
2. In French.

and LeBlancs has been settled by B. and the Deputies, according to the intention of the Council. Will lay the report before the Council at its first meeting, and answer B. regarding the question of expense. In regard to the frauds on the "Lots et Ventes,"[1] when the King bought the seignorial rights, he bought all the rights: and thus, everything taken by fraud comes back to the King; and the fine ought to be in proportion to the sum taken by fraud, for it seems unjust that one who defrauds to the amount of a hundred pounds should pay no greater fine than he who steals four. Wishes B. to explain this: the order is not upon the books at Annapolis and M. would like to see it. Pierre Landry complains of a desire to molest him: see order and letter to the Deputies on this point. Would like to prevent lawsuits but not to decide them except before the Council, and by hearing both sides; B. and the deputies to get the fullest information possible on the case, for the benefit of M. and the Council. Inform the *habitans* that those who have defrauded the King and do not make restitution within a month or six weeks must expect to suffer the penalties annexed to their contracts; and that those who shall henceforth draw up contracts of "Lots et Ventes" except with proper authority, must expect no indulgence. 1740.

(signed.)

Wm Shirreff Sec.[y] P: Mascarene

Mascarene to Bourg.[2] [220

Has received B.'s letter by Maufils. Glad to learn his fidelity to the King's service. Has received a letter from de St. Poncy from Louisburg, stating his intention to return to Chignecto, where apparently he now is. What M. has mentioned several times in his letters to the Deputies may happen before long, viz., some startling move on the part of the Government which will make the rebellious feel that that they are safe in no part of the province, however remote. Well for those who have been loyal, and can be distinguished from Sept. 17. Annapolis.

1. Lods et ventes: "Redevance qu' un seigneur avait droit de prendre sur le prix d'un heritage vendu dans sa censive ou dans sa mouvance."

2 In French

1740. those who seek only to make trouble. Wishes to be remembered to des Enclaves.

(signed.)

Wm Shirreff Sec^y P: Mascarene

Mascarene to Bergeau. [221

Reason for these orders,—de St. Poncy returning to the Province after having retired from it with M.'s passport. No missionary priest to settle in the province without the Governor's leave and approval: de St. P. returns as a stranger. Inhabitants should have applied for a priest through the Governor. Fo. this and other reasons de St. P. is to withdraw at once, or there will be trouble. This not an encroachment on the religious privileges of the people, "But to keep the Missionarys in a Due Decorum," and to show them that they are not masters but responsible to the Government for their conduct. B. to communicate these orders to the deputies and the inhabitants. B.'s backwardness in answering M.'s demands for the King's rents makes him distrustful; but M. wishes only the benefit of the province.

(signed.)

Wm Shirreff Sec.^y P: Mascarene

Mascarene to Bourg[1] [222

Sept. 4. Annapolis. Wrote some time ago by Munier, who went off without the letter, which was sent after him as far as the Basin. Might complain of the want of respect shown him by people in B.'s district. De St. Poncy wrote to M. from Louisburg stating that he intended to return to Chignecto, which he has done apparently by this time. The Council has ordered him to retire and the inhabitants not to suffer him to remain. There may be disagreeable consequences of disobedience. The 11th of October is near. Remind the *habitans* what they have to do on this date, in accordance with standing orders. Compliments to M. des Enclaves: let him know the contents of this letter.

(unsigned.)

Wm Shirreff Sec.

1. In French.

Mascarene to Deputies of Piziquid. [223

1740. Nov. 28. Annapolis.

Pierre Breaux and Charles LeBlanc of the one part and Estienne Hebert on the other having disagreed regarding the division of their lands, and the case having been settled by arbitrators chosen by themselves, and their decision having been confirmed by the Council, the Deputies are to settle the case in a friendly manner. Pierre Landry having complained that Pierre Benoit molested him in the possession of a meadow, B. was summoned to attend the court now sitting: he has not appeared. Council therefore considers his case not valid and orders the said molesters to make good their damage and annoyance to Landry. M. would be much pleased if the Deputies could effect a friendly settlement of the case. Deputies to notify the *habitans* that if they do not obey a properly signed summons, the case will be given against them by default; besides they will suffer the consequences of their disobedience.

(signed.)

Wm Shirreff Sec.[y] P: Mascarene.

Mascarene to Deputies of River Canard.[1]

Nov. 28. Annapolis.

Sieur Gautier of River Canard having complained that Michael Vincent having been summoned to the court now sitting and having failed to appear, the Council has ordered that the Deputies or upright persons nominated by them valuate the horse, and that Vincent pay the valuation to Gautier. It is to their interest, as well as their duty, to see justice done. They are to warn the *habitans* that if they fail to obey a summons, their case goes by default and they will be punished for their contumacy.

(signed.)

Wm Shirreff Sec.[y] P: Mascarene

Mascarene to Deputies of Chignecto.[1] [224

Nov. 28. Annapolis.

Jean Forrest has complained of neighbors settling on land he claims and cannot attend the court now in session on ac-

1. In French.

1740. count of his age. As M. cannot judge of the matter at this distance, he has ordered the parties to meet a year hence, in Nov. 1741, with their documents to settle the matter. They are to prevent molestation in this case and others, until justice has been done. Hopes they have received the orders sent by Winniett and Donnell and carried them out.

(signed.)

Wm Shirreff Sec.y P: Mascarene

Mascarene to Bergeau.[1] [225

Nov. 28. Annapolis. Has received B.'s dated Oct. 28th, by way of Minas: it contains nothing but what he has already answered in letter sent by Winniett. Expects merchants daily from Minas, which may bring B.'s answer.

(signed.)

Wm Shirreff Sec.y P: Mascarene

Mascarene to Bourg.

1740-41. Jan. 7. Annapolis. Sends commission of Receiver of the King's Rents. B. cannot enough exhort the people to obedience and good order. Sends open letter to Deputies in B.'s district, which is to be communicated to them, that none may pretend ignorance. Original to be kept in B.'s office for reference. Writes also to "Monsieur de Loutre" to turn over to B. what he has received of the King's rents taken at Cobequid, with Mangeant's monies,[2] which B. is to charge clearly in different accounts, and not to confuse it with what accrues to the King from the preceding year, 1740. B. to keep accounts according to the prescribed form. Réné Le Blanc has written M. a letter full of prevarications regarding the new Deputies: M. has therefore written to the Deputies in common. Has heard also that the Deputies of River Canard have not caused restitution to be made for Gautier's horse. They certainly have made no report thereon. Writes to des Enclaves in answer to his letter: and wishes des E. to show B. the same. If he does not, B. is to let M. know. Sends two letters directed to

1. In French.
2. Doubtful: document reads: "With the Seiuer Mangeant the former Receiver."

Deputies of Chignecto and to Bergeau. Wishes B. to enclose "and Direct them to one You Can Confide in At that place, that he may Diliver them to Either the Old Or New Deputys If such Are Chosen and to Bergeau." They want M. to write by means of the Missionary priests, but he is resolved not to do so. Will direct B. before Spring how to forward the King's rents. 1740-41.

(signed.)

Wm Shirreff Sec.[7] P. Mascarene

Mascarene to Bergeau. [*226*

Has received B.'s of Dec. 18th by way of Cobequid. If the order for election did not reach the *habitans* at the date fixed, they should nevertheless have proceeded to choose deputies without delay. Excuse given looks like evasion and prevarication. Such conduct will draw down on them the displeasure of the Government. Has nothing to add to his orders regarding de St. Poncy. Has received per Winniett the value of 300 Livres remitted by B. of the King's dues, but without letter or bill of lading. Is afraid accounts will become confused and sends model form in which to make them out. If B. is to retain M.'s good opinion he must not take several rumors flying abroad for truths. M. is the head of the government hitherto. If any change is made, M. will be the first to give information regarding it. B. to take no powers on himself not warranted by his office. Deputies to assist in keeping good order. If not, M. foresees the ruin of the people.[1] Jan. 7. Annapolis.

(signed.)

Wm Shirreff Sec[y] P. Mascarene

Mascarene to Deputies of Minas and Chignecto.[2] *228*

In all his letters and orders, M. has tried to impress on the deputies the necessity of obeying orders for their own good: some of the most important matters are the annual election of deputies; and the reporting of those who fail to vote, so that Jan. 7. Annapolis.

1. Such phrases are frequent in Mascarene's letters.

2. "Circular Letter to the Deputys of Mines and places Adjacent & to those of Chignigto.": at end of document.

1740-41. the entire district may not bear the blame, and the visit of two Deputies (an old and a new one) to Annapolis to receive orders. Besides, a great number do not acknowledge themselves subjects of the King of England, although the province was transferred to him by the King of France. Warns them of the consequences of such conduct. Deputies ought to take their office as an honor, not as a trouble. If they are punished for neglect of duty, M. has warned them.

(signed.)

Wm Shirreff Sec.y P. Mascarene

Mascarene to des Enclaves. [229

Jan. 7. Annapolis. Has received des E.'s letter per "one of the young Le Blancs." The stumbling block to some of des E.'s profession "is the desire of Governing the Temporall by the Spirituall, Incroaching Little by Little & Endeavouring to Become the Commanders of the Parishes in Which they Resided, and Endeavouring Thereby to Shew that the Goverment had no Other power But by their means and by Addressing Themselves to them." Explains the reasons for appointing Deputies: orders of Govt. to be transmitted through them; they to execute and report on them. "If they Cannot write, (which by the by Shews the Ignorance in Which they have been Kept, & is not much to the Praise of the Missionaries who have Resided amongst Them) They are to make use of the hand of Those who Know that Art, But the Act must be Their own and Carry their Signature or Mark." Best men ought to be chosen, who ought to take it as an honor. Des E. will perceive that repairing the bridge ought to have been set on foot by authority of the Deputies. Des E.'s protestations of fidelity and of good behavior make M. hope that he will attend to these admonitions. M.'s only ambition is to promote the interests of the King of G. B. and the welfare of this province.

(signed.)

Mascarene to de Loutre. [231

Jan. 6. Annapolis. Begins by wishing him a Happy New Year, "Which I do Very Willingly haveing in the Little Conversation we had Together Conceiv'd an Esteem[1] for You and Relying On the

1. Twice in this letter esteem is spelled "Estime" the "ime" crossed out and "eam" written in above.

promise You have made me of maintaining The peace and Good Order in Your Parts, and of Keeping the people in that Submission They Owe to the Goverment to Which they have Swore Allegiance." Sends a letter to Sieur Alex. Bourg to be communicated to all the Deputies of the several districts of Minas. Sends Bourg also commission of Receiver of King's rents: le L. is to remit to B. what he had in his possession, on the departure of Mangeant. 1740-41.

(signed.)

Wm Shirreff Sec.[y] P. Mascarene

Mascarene to Bergeau.[1]

Wrote to B. in January last via Minas as well as to the other Deputies. Replies to B.'s letters and acknowledges receipt of what was sent by Winniett. Will be glad to have the value of the rents B. has received in wheat and pease. Reason why M. wants them in these "species" (*especes*) is on account of the want several poor families at Annapolis suffer; the scarcity may increase the price. Received the letter of the Deputies only the day before yesterday; and cannot reply fully. Government have no intention of interfering with the religious privileges of the *habitans*. Has laid before the Council this morning their request for a missionary to fill the place of M. "Desclasses." In regard to de St. Poncy, Council cannot withdraw its order: insists on the obedience of the people to it. New priest must be properly authorized and installed by the Government. If the priests attempt to act as masters they will be punished. Allen is waiting for the letter. B. to is communicate this to the Deputies and the *habitans*, as well as the enclosed proclamation to be published as usual. The time may not be far off when the fidelity of the people will be enquired into. 1741. Ap. 11. Annapolis.

(signed.)

Wm. Shirreff Sec.[y] Paul Mascarene

1. In French.

Mascarene to Bourg. [232

1741. Ap. 15. Annapolis. Has received by Thos. Donnell, who arrived last week, letters from Europe dated last Fall. Gov. Philipps coming out in the spring, but thinks M. should continue as head of the civil government. This should put an end to the rumors which have been flying about since last Fall. Sends proclamation to deputies; it is intended to prevent the scarcity of bread, "whilst the Grain should be exported." *Habitans* who navigate vessels to be notified that unless they take out papers at Annapolis before going on a voyage and report there at its close, their vessels may be confiscated, in addition to other punishments. B. to send M. the King's dues in wheat and pease, as it will be "a Service done to sev.[1] families who will soon be in great want & whom I would Relieve at the ordinary price thereby to hinder the Scarcity from raising the Price which would be hard especially for y[e] Poor." More trouble in Europe and the W. Indies: hopes the *habitans* will conduct themselves properly in the crisis.

(signed.)

Paul Mascarene.

P. S. Hopes that the affair of Gautier's horse will be settled, and that the Deputies of River Canard will not be obstinate. B. to read over M.'s letters before he writes.

Wm. Shirreff Sec.[y]

Mascarene to Bourg. [233

Ap. 25. Annapolis. Has written to B. by young Gautier and sent proclamation forbidding exportation of all kinds of produce out of the province until bonds are given that the produce is to be landed in a port in H. B. M. dominions. This the law, even in England, to prevent scarcity, and "that the hopes of Gain might not Occasion the Enemies of His Majest[s] Governmt [line drawn through] to be Supply'd to y[e] Prejudice of His own Subjects." If M. does not express himself clearly, in the proclamation, B. is to take the sense as given in the private letters. B. to exhort the Deputies and *habitans* to

conform to the terms of the proclamation "Especially in these dubious Times when it behoves them not to render themselves Suspected." 1741.

(signed.)

Wm Shirreff Sec.[y] Paul Mascarene.

Mascarene to "Mr. Pommecoup."[1] [*234*

May 12. Annapolis.

In accordance with what has been done in England and all the English colonies, proclamations have been issued here ordering that "every master of Vessell of what kind soever who should have any Provisions on Board should be Oblig'd to give bond that he should land & dispose of said Prov[s] in y[e] Ports or Places belonging to y[e] Dominions of his Brittannick Majesty & not out of y[e] Said Dominions & that to Discharge his said Bond or Obligation the said Master should bring & produce proper Certificates from ye Places where he had landed & disposed of y[e] said Prov[s]." Both the *habitans* and Indians to be notified of this regulation, which is to their advantage, "as thereby Care is taken to hinder in these times of Scarcity that strangers may not be provided for preferably to those who" are British subjects. Hopes that P. will act honestly and prevent fraud in buying provisions from masters of vessels.

(signed.)

Wm Shirreff Sec.[y] Paul Mascarene.

Mascarene to Charles Dentremont. [*235*

May 27. Annapolis.

Has received D.'s letter per Jacques Molaison: glad to know that D. has received and published what M. sent him. Will not conceal from D. the report that vessels having given bond go to "your parts" and unload part of their grain, which can then be easily taken out of the province. M. knows D.'s family to be men of honor and cannot persuade himself that they would stoop to fraud, and not hinder others from disobeying the government's orders. Vessels which go trading or fishing must call here "& make their Report before they

1. This is apparently intended for Charles Dentremont of Pobomcoup, as appears from the next letter; but it is strange that Mascarene or his secretary should not know the name, or make such a slip.

1741. Proceed up this bay With their Truck or their fish." When writing "do not give me titles which do not belong to me." Governor belongs to Gen. Philipps: M. is only President of the Council and Commander-in-chief in the province for the time being.

(signed.)
Paul Mascarene.

Mascarene to Bourg.

June 18. Has received B.'s by [blank] informing M. how B. has returned from Cobequid, having gathered the King's dues; which M. would like as soon as B. can conveniently send them. Wants wheat not for the King's advantage or his own (money would be better) but for the sake of several families here in distress, "who have no bread to eat & whom I would fain assist if I could." The two strangers not to be encouraged to remain: M. and Council order that the surgeon may stay some time and practise his profession as there is some need for it, but as there is no need of the tailor, he is to take the first fit opportunity to leave the province. Both strangers have been informed of the order; and B. is to inform the Deputies of the different settlements of it. Strangers are to be kept out of the province rather than encouraged to remain. Papers and proclamations of unauthorized persons are not be be regarded. Wants to know how long Duplessis has been in the country, by whose authority he exercises his function or has settled here "for I have no knowledge of him." Could not read a word in B.'s letter about Terriot and showed it to Jacques, with some others, but saw his mistake and stopped. Jacques may talk and B. must not think that he (M.) showed the whole letter. Those who have anything to discuss before the court here, especially the Landrys and Terriots of River Canard, are asked to defer their cases until the meeting in October, because the number of councillors at Annapolis now is small.

(signed.)

Wm Shirreff Sec.[y] P. Mascarene.

P. S. Warns the *habitans* against exporting any kind of produce out of the province. Would caution them "not to

deal in such where they know this to be a breach of that order." "Communicate this for ye good of the Commonalty." 1741.

(signed.)

Wm Shirreff Sec.^y P. Mascarene

Mascarene to des Enclaves. [237

Has no time to answer des E.'s last letter fully, except in regard to de St. Poncy. What the Govt. has found most amiss in his conduct is his irregular manner of returning to the province "& the Council will no in wise hear of his Staying in it." Authority of the King must be maintained. If de St. P. persists in slighting the Government's orders, he will ruin the *habitans* who assist him. Though this government is slow in executing measures of severity, sooner or later those who disobey its orders will feel the weight of its resentment. M. would "prevent by Exhortations & other such Means the Troubles" which he sees that disobedience will bring upon this people. June 18.

(signed.)

Wm Shirreff Sec^y P. Mascarene.

Mascarene to des Enclaves.[1]

To answer the other part of des E.'s letter, in which he contends that the spiritual and the temporal are so closely connected that it is hard to distinguish. M. asserts that the priests usurp the power to make themselves sovereign judges: "for example a Parishioner complains to the Priest that his Neighbour owes him or detains such a thing from him the Priest Examines this Neighbour in the way of Confession the man denies his owing or detain.^g Such a thing unjustly. The Priest doth not Stop where he should but calls & examines Witnesses & then decides in a judicial Manner & condemns the Party to make restitution & to Oblige him thereunto refuses to Administer the Sacraments by which if the man is Persuaded that it is in the Priest's Power to grant or withold the pardon of his sins he is in a wofull case & must rather Submit to be deprived of his goods than to incur damnation June 29.

1. Printed in full, N. S. Archives p. 111 f.

1741. as he believes by not receiv^g Absolution from the priest." This tends to render all civil judicature useless and to subvert H. M. authority. Power of the priests should extend no further than exhorting the parties to compose their differences amicably or submit to the usual civil procedure. "This is one of the blocks on which I have often forewarned you not to stumble."

(unsigned.)

Mascarene to Alex. Bourg.[1] [238

June 29. Annapolis. Wrote to B. some days ago by the surgeon who was returning to Minas: and directed him to notify the Landrys and Terriots of River Canard to forward to the Council at its next meeting, in October, what concerns the difference of the sharing about which they seem to disagree: but Etienne Boudrot having gone away before the surgeon's return, his trip has been in vain. To expedite such matters, M. wishes that the parties in such cases would, before coming here, communicate their documents to one another, and especially the petition which the plaintiffs address to the Governor-in-Council, in order that the other parties may be able to defend themselves, on their arrival here. This should be done a few days before the meeting of the Council, in order that the necessary documents may be translated into English for the information of the judges. Surprised to find Benoit of Piziquid here. Thought the affair between him and Pierre leBlanc settled and ended. If he is not satisfied with the Council's decision, all he can do is, after having as a first step conformed to that decision, to petition to have the case re-opened. In which case, he must pay all the costs, if the first sentence is confirmed, as noted in M.'s letters to the Deputies of May 20th, 1740 and to B. of Oct. 28th last. *Habitans* must obey or punishment will overtake them and go further than the individual thinks.

(unsigned.)

Mascarene to Francoise Belisle.

June 30. Pleased to open a correspondence with Mlle. B. which will not offend her confessor, as it is only an intellectual corres-

1. This and the four letters following are in French.

pondence. Four of the Council have gone to New England, and the remainder are too few to decide important cases. Mlle. B.'s aunt has gone to Louisbourg to obtain proofs; and it is therefore to Mlle. B.'s interest to take all precautions. M. is sure Mlle. B. is too reasonable to hope for favour from him as a judge. In anything not contrary to his duty, M. will have great pleasure in obliging her. Hopes that when she has news and opportunity she will write. 1741.

(unsigned.)

Mascarene to de Quenelle. [239

Has received de Q.'s letter: congratulates him on his safe arrival in his government. Our Gov. Gen. is expected here shortly from England. If this happens, M. will be deprived of the honor of de Q.'s letters, but hopes to retain and deserve his esteem. June 20. Annapolis.

(unsigned.)

Mascarene to Bourville.

Had the Honor to reply last year to one of B.'s letters addressed to the late Lt. Gov. of this province, and now glad to reply to the one B. has addressed to him personally. Thanks him for marks of esteem, which he will be happy to cultivate.

(unsigned.)

Mascarene to Intendant Bigot. [240

Also a civil note, acknowledging receipt of B.'s letter of last autumn.

(unsigned.)

Mascarene to Alex. Bourg.

Has received B.'s letter by Baptist Forest of Piziquid. Has told him what M. wrote to B. viz., that he would not decide any question of *meum and tuum* except in Council. If people will not compose their differences amicably, they must have recourse to the regular courts. "The Council have made it a rule to follow the Antient laws & Customs established with July 2.

1741. the Inhabit.ts in judging of their Suits & shall continue so except in cases where such would Affect the rights of the Crown or be repugnant to the Laws of Great Brittain & therefore no new customs or Laws trumpt up by any residing amongst you will gain any Sway." If they cannot agree, the plaintiff must petition for a summons to be sent to the defendant "to appear here in October."

For the same reason, M. cannot look over Longuepée's papers "to examine whether the Land he is in possession of is inserted in his grant of the Signior or whether he has incroached & taken more than was granted to him & so the Land in which the Mill is desired to be built belongs to the King as Signior or to the Said Longuepée but if the place on which the Mill is to be built be of Such necessity & Conveniency to the Commonality those who intend to build it may agree with the said Longuepée amicably & oblige themselves to give Such Satisfaction to him in case the Land or part of the Stream on which they build be prov'd to be his & if on the Examin.n of the Case before the Council the Land or that part of the River be found to belong to the King as not being containd in the S.d Longuepée's grant then those who shall have built the Mill will be answerable to his Majesty for Rents & other dues as Usually Allowed in such Cases."

(unsigned.)

Mascarene to Bergeau. [241

July 18. Annapolis. Has received per Winniett, B.'s letter stating that had received something further on account of the King's Dues and had put 60 livres into W.'s hands to be delivered to M.; but W. says the three hhds. wheat B. offered to put on board were not good, and were taken by a *habitan* who promised to send the same amount of good wheat in the fall, "and as for the Sixty liv.res which were the Produce of them three hhds he told me you had said nothing to him about it but Offerd to pay that sum on your acco.t if I would insist on it. As this shows some kind of Mistery," M. wants an explanation. B. not to charge the three hhds to M.'s account. The people of Chignecto "appear in all things of a refractory spirit," pay

the King's Dues unwillingly "& in bad Species," and persist in disobeying the orders regarding de St. Poncy. Trouble will come of it. It is of great importance for the support of the King's authority that the missionaries should not settle themselves in the province contrary to the regulations; this explains the reasons for the regulations regarding de St. P. The Govt. will support them; and punish sooner or later those who disobey. As for those who have settled on the King's lands, without grant, B. is to read the orders on that head, as well as M.'s letters of Oct. 22nd, 1740, Jan. 7th and Ap. 11th, 1741, all in the same strain. "I am not varying but always keep to what is my duty the promoting His Majesty's Service." Hopes B. will continue faithful in his position. 1741.

(unsigned.)

P. S. Petition sent by "Bourg & Sire" requires no answer as it relates to settling on ungranted lands. Hears of illicit trade from Baie Verte and that the *habitans* of Chignecto have a share in it, contrary to orders. This will increase the resentment against them.

(initialed.)

P. M.

Mascarene to Alex. Bourg. [242

Has received letter from Charles Dugas. Wishes B. to inform him that it is inconsistent with his (M.'s) duty and contrary to the proclamation "to Allow any trade with any foreign Dominions for Prov.s or any other Prohibited goods." As M. prefers the discharge of his duty to private interest, he did not accept D.'s offers of service last Spring "nor cannot at this time." Will discourage illicit trade and, when the time comes, inquire into the character of those who have acted contrary to the law. July 16. Annapolis.

(unsigned.)

Mascarene to des Enclaves.[1]

Has received des E.'s letter of July 21. (N. S.). Is glad that des E. is alive to the evil consequences of connecting the July 20. Annapolis.

1. Printed in full N. S. Archives p. 112 f.

1741. temporal and the spiritual. Has no desire to open up the controversy; it was forced on him by one of des E.'s brethren. M.'s only aim is "to keep Missionarys who reside in this Governm^t within the bounds of their Duty & to hinder them from Establishing imperium in imperio." Is in favor of tolerating any persuasion which is not contrary to society and government.

(unsigned.)

Mascarene to Alex. Bourg. [243

Aug. 4. Annapolis. Takes the opportunity "of Sieur Pierre Landry" to mention the application of "Bourgeoise wife of Jean le Blanc, "who has some claim on the Landrys of Piziquid who have an old deed they will not produce "which might accomodate the Affair." Wishes they would settle their differences amicably; if not, he will have them appear at the next Sessions. The affair of the Pierre Landry and the Benoits not yet settled. M. told Martin Benoit that he and his father must first comply with the decree of the Council, before the case could be re-opened, on the terms set forth in M.'s letter to the Deputies of last year. He and Mr. Donnell have been so busy since D.'s coming from Minas that M. has not settled anything with him yet. By the arrival of Benjamin Donnell "we find things are to remain here in the same Condition as they were."

(unsigned.)

NOTE: Follow two blank pages.

Mascarene to Alex. Bourg. [246

Aug. 24. The death of Winniet has reduced his widow to a deplorable condition, which "gives a particular concern to everybody here. She is resolvd to pay honourably her deceased husband's debts." To that end she must receive what is justly due her. B. is to notify all in his district who were in W.'s debt to get ready "what is requisite to discharge their respective dues" with all speed, in order that the sloop which has gone to Boston and is, on her return, to proceed up the Bay, may make another voyage to Boston and return before winter. "She is to bring some merchandize for Acco^t of the Widow."

Wishes the honest men, even if they had no previous dealings with W., to give a preference to these goods and so assist the family. "I hope my recommend.n will be of some weight amongst you in an Affair so Reasonable & which concerns Christian Charity." 1741.

(unsigned.)

Mascarene to des Enclaves.[1]

Returns answer by bearer of the letter sent. Des E.'s correspondence agreeable to M., as long as the missionaries observe the government regulations, which des E. concedes they should. They will not be hindered in the exercise of their spiritual duties, "but when they shall pretend to require or to Settle themselves by any other Authority than what derives from the King of Great Britain" they will injure not only themselves but those who support them in their unwarrantable proceedings. Has referred "Mons.r Lobarett" to his (M.'s) letters to des E. for information on this point: wishes des E. to communicate them to de la Goudalie "if he comes to your parts before he reaches these, that those Messieurs" may not make any mistakes. Affairs in Europe are much embroiled. In case of a rupture between G. B. and France, missionaries will fall under suspicion and must conduct themselves well. Sept. 5. Annapolis.

(unsigned.)

Mascarene to the Deputies of Piziquid.

On petition of Charles Boudrot and his wife Marie Rivet, M. sends power to summons Etienne Rivet and Réné Landry to appear here at the time mentioned. Refusal to obey will be considered rebellion and treated accordingly. Deputies are to assist government in preserving order. Mentions this specially at this time, as some of the *habitans* seem to defy all government. Order to be sent to all districts. Sept. 11. Annapolis.

(initialed.)

P. M.

1. Printed N. S. Archives p. 113.

Mascarene to Alex. Bourg. [248

1741. Sept. 11. Annapolis. Received B.'s letter by Bodar. Sends summons for Etienne Rivet and Réné Landry directed to the Deputies of Piziquid. If the orders of government are disobeyed, extreme measures must be taken. M.'s desire has been to make the people understand G. B.'s leniency: "but if they dont know how to make use of that ease without turning it to licentiousness we shall find a way to make them repent of having Slighted so good an offer." Glad to hear that the affair between the wife of Jean le Blanc of Piziquid and the Landrys is likely to be settled. Wishes the resort to law only when all other methods have failed. Not likely to have the Governor this winter. Matters will continue as they are. "I writt to you by Jolly Coeur." Gautier is not yet come in."

(unsigned.)

Mascarene to the Deputies of River Canard.

Sept. 22. Annapolis. Gautier who goes "towards your parts" thinks that he has not received full satisfaction for the loss of his horse. Wishes G. may have no reason to complain of their partiality. They dishonor the Govt. which appointed them umpires, when they give unjust judgments. They are to satisfy G. so that he may not complain of their partiality. In this, M. has no other view than to make people honest, particularly those who represent the Govt.

(unsigned.)

Mascarene to Bourg. [249

Oct. 5. Annapolis. Members of Council have returned, with the news that there is no appearance of rupture between France and England, at least this year. No likelihood of change of Government at present in this province. Those who are summoned to attend next sessions and cannot adjust their differences, must attend. Reminds B. to send his accounts, to choose new deputies at the time appointed, and to recommend Govt. orders to the people.

(unsigned.)

P. S. Vessels said to be building in B.'s district. If so, 1741.
all over five tons "must take out a Register for them before they go a trading" and make oath that no stranger or foreigner has directly or indirectly any share in them, and that the sails, cables, cordage and other tackle are the product of H. B. M. dominions.

(initialed.)

P Mc

Mascarene to de la Goudalie..

Did not answer the letter de la G. wrote from Louisbourg, wherein he stated his intention of coming to this place. whither all missionaries must repair to obtain the approbation of the Govt. This a prerogative M. will maintain to the utmost of his power, as necessary for the support of H. M. authority. M. therefore will not answer the different heads of the letter nor acknowledge de la G. as having any right to office in this province, until he comes to Annapolis and complies with the regulations. If he follows St. P.'s example and tries to evade them by frivolous excuses, he will draw down upon himself and those who support him, the resentment of the Govt. Hopes de la G. will as a minister of peace comply and try to promote order and good government.

(unsigned.)

Mascarene to Bourg.[1]

Afraid the letter and proclamation sent by young Gautier May 1.
have not reached Minas, "Par Raport aux Glaces qui Auront pu L'empecher d'entrer," Has since written by young Honoré Landry of River Habitans, giving gist of the proclamation, which B. is to publish : for nothing can injure the *habitans* more than to export provisions to any foreign possessions, or to assist in such exportation. Nor are their vessels to go trading without taking out the necessary papers at this port.

(unsigned.)

1. In French.

Mascarene to Deputies of Grand Pré &c.[2] [251

1742. Dec. 22. Annapolis. Enclosed proclamation to be published in the different districts and then registered with the notary. It empowers the Deputies to execute the orders of the Council. Hopes they will do their duty.

(unsigned.)

Mascarene to the Deputies of Chignecto.[1]

Jan. 11. District of Chignecto has been so long in a state of disobedience that the *habitans* can only regain the confidence of the Govt. by repentance and amendment. Encloses proclamation which shows that they must obey and enforce the Govt.'s orders. In this way order may be restored, unless they oblige the Govt. to use force.

A *habitan* named Quaissy, the bearer of this, has made proposition regarding the Lake; but the map submitted is not sufficient to make grants by. All that can be done is to promise those interested that the grant will be confirmed as soon as the survey is made, if in the meantime they have conformed to the orders of the Govt. unless an express order should come from Court forbidding it. In the meantime those concerned may continue their works, not however passing the limits sent by the Council. Lands not granted by the Govt. have apparently been sold, and money has been fraudulently obtained. Such cases will be looked into, when the grants are made. As for the squatters on Crown land, for which they have no grants, if they can prove that they have lost their papers by fire or other accident, "The Goverment may Insure them Their Possessions." But those who have taken Crown land contrary to justice and Govt. orders, cannot be considered as possessing any right to their holdings. A difference will be made between those who marked (Crown) lands and then refrained from improving them, in obedience to Govt. orders, and those who refused to obey and even occupied the land marked and abandoned by others. If the King bestows addi-

2. "To Messieurs the Deputies of the Grand pré, And River of Canards, Pesequid and Cobequid Dependencies of Mines"

1. Printed in full, N. S. Archives, p. 115 ff.

tional grants, those who have obeyed will receive the preference and those who have disobeyed will receive their deserts. No payment of King's dues can give a title to ill-gotten possessions. The Receiver and Deputies will make out lists distinguishing those who have valid deeds, those who have lost their deeds but can prove possession during the French *régime*, those who had leave to mark out lands and obeyed the Govt. orders, those who have not obeyed, and those who have taken lands marked out by others, including those on the river Chippody. Such lists properly made out may in time remove many difficulties. Give due attention to this letter, in the interests of peace. They may repent if they do not now obey. Assist the Receiver in collecting the King's dues, and communicate this letter to him. 1742.

(unsigned.)

Mascarene to Bergereau.[1] [*254*

Has received B.'s letter per Quaissy, whose proposal obliged M. to call a meeting of Council. As much done as possible until the lake is surveyed properly, the plan sent being insufficient. Has written also to the Deputies. B. is to help in making return of *habitans* according to their rights to the land they possess. Will be glad to favor B. "But it is to be Considered that you are not one of the Old Inhabitants nor Descended from them, that it is even said that you have not taken The Oath of Allegiance which are Obstacles of no Little Consequence, Besides That The Suspicion is entertained Of Your haveing Being Concern'd in a foreign Trade." Wishes that B. may be able to remove the obstacles by his good behavior. Those who have taken Crown lands do not earn a title to them by paying the King's Dues; and M. is not to press them for payment. B.'s accounts are in the hands of the Secretary for examination: what M. has seen of them leads him to believe they are just and exact. A voyage to Annapolis in the Spring might be useful to B., especially if what M. wrote to the Deputies can be accomplished. 1741-42. Jan. 11. Annapolis.

(unsigned.)

1. Direction reads: "Monsieur Bergereau Receiver of the King's Dues at Chignicto."

Mascarene to des Enclaves.[1] [255

1741-42. Jany. 11. Annapolis.

Wishes him a Happy New Year. True that the weather has prevented des E. from coming to A. in accordance with the regulations. Hopes that these difficulties des E. raises will not give rise to the idea that missionaries will oppose any regulation made for them. The Council passed the resolution regarding de la Goudalie, without the latter's concurrence, but to his satisfaction, though de la G. would rather be settled here, as some of the people want him. If after des E. comes here, his health does not permit him to remain, he may withdraw. While M. is at the head of the Govt., he will never prevent a missionary leaving the province; he only wishes to hinder any of them from settling in it, contrary to the regulations. Correspondence has led M. to esteem de la G., and as it was necessary "to Adjust what Differences had Happen'd Amongst You," M. is not sorry that the lot has fallen on de la G. to exercise his office "in this Place."

(unsigned.)

Mascarene to de la Goudalie. [256

Jan. 12. Annapolis.

Has received a letter from St. Poncy which he cannot answer in his public capacity without expressing resentment at St. P.'s conduct in "Intruding and Maintaining himself in" a parish in H. B. M. dominions, without leave. Wishes de la G. to inform him that M. has no personal feeling in the matter, but disapproves strongly of St. P.'s conduct. Had entered into a religious discussion with him, as a private person in a time of leisure; but since taking up the Govt. is not able to resume it. St. P.'s last communications lie unopened in M.'s closet. Has written to des Enclaves and mentioned in express terms "what You Desir'd Mr Skene to Signifie to you."

(unsigned.)

1. Direction reads: "Monsieur Des Enclaves Missionary Preist At River Canards."

Mascarene to Alex. Bourg.

1742. Ap. 12. Annapolis.

Return of Trefry telling how he was plundered "in your Parts." Was about to sail for Boston and the purport of the letters sent might be imagined, if it was thought the Indians in general had been concerned in the outrage, and had been supported by the French. Letters from B., Mangeant and two Indians, have changed the aspect of the case. Their conduct and that of the two deputies is highly approved. Wind is fair and T. is about to sail to recover his loss. What is reported cannot be the whole of the cargo: B. is to obtain what satisfaction he can for T. Sends T.'s statement of his cargo: has given T. inventory of the goods recovered. Intends to write to "Mons.r De Loutre": if B. sees or writes to him (de. L.) he is to ask him to use his influence with the Indians to recover the missing goods. From the remark of an Indian woman, Bujeau was suspected of inciting the Indians: but from B.'s letters, the suspicion has been proved groundless. M. has told Trefry to reward "Sappine" for his readiness in lending his vessel.

(signed.)

P: Mascarene

P. S. Enclosed is sworn statement of cargo; by taking from it what has been sold and what has been recovered, T.'s loss can be estimated. Copy of some of the articles of the Indian treaty also enclosed until the full text can be sent.

(initialed.)

P. M.

Mascarene to Francis Mangeant. [258

Ap. 13. Annapolis.

M.'s account of the expedition to recover Trefry's goods has pleased Mascarene and the Council. Wishes it were in his power to reward him. Glad that he and Bourg are in agreement: it will conduce to H. M. interests and the public good; and turn out to M.'s advantage.

(signed.)

P. Mascarene

Mascarene to Momquaret and Wouito.[1]

1742. Ap. 13. Annapolis. Very glad to learn that neither they nor the Indians in general were concerned in the robbery of Trefry. Sends to Belhumeur, the articles of peace signed by the Indians "to Remind you of Your Obligations." They can depend on the friendship of the H. M. subjects as long as they refrain from molesting them.

(signed.)

P: Mascarene

Mascarene to de Loutre.

Ap. 13. Annapolis. "As the Robbery Committed by Some Indians On William Trefry Master of a Small Vessel from New England whilst he was tradeing at Menis," is disowned by other savages, M. hopes the rest will conform to the articles of peace and make reparation. As de L. has great influence with them, M. hopes he will use it to preserve the peace. The main support of the savages is from the trade carried on in the province. Hopes de L. will do what he can.

(signed.)

P: Mascarene

Mascarene to Alex. Bourg. [25

Ap. 19. Annapolis. Sends duplicate of letter sent by Trefry, and also treaty with Indians translated into French to be kept in B.'s office to remind the savages of their obligations. Has written to the Deputies of Piziquid, in regard to the difficulty between the Braux and Hebert. They, with B., are to make them submit to arbitration, if possible. The report of the Deputies with B.'s concurrence is necessary, (for submission to the Council,) to show that the proclamation has been acted on. Jean Bourgeois has applied for a summons against Benjamin Landry. M. had hoped that the matter was settled; but as she persists, "in demanding her Adverse Party to Appear here I shall not Refuse her Request." If Benoist persists in

1. Direction reads: To Jacques Momquaret Thomas Wouito Capitaines Des Sauvages.

re-opening his case, he can obtain a summons against Pierre Landry for the court that meets the last Tuesday of July next, on the usual conditions." "This supposes the first Sentance to have been put in Execution In all its points." Hopes B. uses his influence for peace; his last behavior has been very acceptable to M. and the Council. 1742.

(signed.)

P: Mascarene

Mascarene to the Deputies of Piziquid. [*260*

Has received a message from "Peire Breaux" complaining that John Hebert will not carry out the provisions of an arbitration sanctioned by the Council. Refers the Deputies to the last proclamation sent to Bourg, directing them to assist in such cases as this. A report of their transactions to be sent to Annapolis. Better that a single refractory individual should be severely dealt with than that the whole community should lie under the suspicion of being disorderly, by supporting those who resist the law. To the interest of the Deputies to see the law carried out. Ap. 19. Annapolis.

(initialed.)

P: M.

Mascarene to the Deputies of River Canard. [*261*

By enclosed minute of Council, Michael Vincent is ordered to repay the outlay Gautier has been put to, in obtaining judgment for the killing of his horse. Deputies are to see that both legal expenses and valuation of the animal are paid: they are further, to report their proceedings to the Governor-in-Council. M.'s only aim is to preserve peace. It is better that one turbulent person should be severely punished, than that the whole community should lie under the suspicion of lawlessness. Their position as Deputies obliges them to assist in enforcing order. Ap. 19. Annapolis.

(signed.)

P: Mascarene

Mascarene to the Deputies of Chignecto.

1742. May 20. Annapolis. Has received from Bergeau the return of the inhabitants of Chignecto, as ordered: it will enable the Council to decide questions of land tenure. The intention is to assist the law-abiding and protect H. M. rights, "as Lord of the Several Mannors in this Province since the year 1731 That His Majesty made a Purchase of the said Seigniores from those who had A Right to them." After a proper survey is made, those who have conformed to the law shall be entitled to a rebate on what they may have paid in as King's Dues, since 1731. The oath of allegiance taken by heads of families binds all the family; and those born since H. M. accession are equally bound to obey Govt. orders. By the return, M. finds that a number of *habitans* with valid deeds have refused to pay the King's Dues, although this is the condition on which they hold their lands. B. has accounted for what he has received and his accounts have been laid before the Council: He has been appointed Notary and Receiver by a new commission; writings passed by him will be valid here "Which will Prevent fraudes So Offten Committed by Clandestine Deeds or Writings." Deputies to give him all assistance. If, after all that has been said and done, the *habitans* of Chignecto persist in disorder, a time of retribution will surely come. The only measures proposed have been for the advantage of the people and the maintenance of the King's rights. They have enjoyed religious privileges even beyond the stipulations of the treaty of Utrecht. Try to atone for past offences by better behavior. It is to the interest of the whole community to promote order. "Bergerau" is to visit A. this summer: one or two of the Deputies should come with him, to hear the deliberations of the Council for their benefit. *Habitans* obliged by their contracts to pay their annual dues on a certain day "that is on the feast of St Martins." Failure to do so will bring punishment. "If There are more than One Seated On an Habitation The Cheif" or the holder of the contract is answerable for the whole amount; and the different parties may agree as to their

several proportions. All half bushels are to be brought to the one standard, as has been previously ordered. 1742.

(signed.)

P. Mascarene.[1]

Shirreff to Deputies of Piziquid.[2] [*264*

Directed by the Gov. to send Deputies summons for the Braults and Heberts, having been informed by their (the Deputies') report that these parties would not carry out the provisions of the arbitration, although they had both agreed to it and it had been confirmed by the Council. June 8.

(signed.)

Wm Shirreff Sec.y

NOTE. A blank page follows. Then come six pages of Philipps's proclamations &c. all in French, beginning at the back of the book and *reversed*, another blank page and last two pages of contemporary index from pp. 1 to 187, in parallel columns and running the same way as the bulk of the volume.

Philipps to the Inhabitants of Minas.[3] [*1*

Sends the King's orders in the enclosed proclamation, which grants them the exercise of their religion and guarantees them their possessions and civil rights. Invites them to take the oaths of allegiance and fidelity now, especially as the King will allow them to retain what they hold most precious, the free exercise of their religion. Expects their answer by Father Felix and four deputies. If they cannot agree on the latter, M. would nominate "Alexandre Bourg, Jaques le Blanc, Paul Melanson & Pierre Breaux." Proclamation to be read before the largest number of *habitans* possible and Adams and Blin. 1720. Ap. 28 O. S. Annapolis.

(signed.)

R: Philipps.

1. Under direction: "Memorand, so far Copy'd and sent home. Wm Shirreff Sec.y" written in a very shaky hand.

2. In French.

3. The English drafts of this and the four following papers as laid before the Council, are printed N. S. Archives pp. 21-23.

Philipps to the Habitans of Chignecto. [2

1720. Ap. 23 O. S. Annapolis. A memo in English states that this proclamation was the same as the preceding except for one clause, viz., P. in order to show his good will, permits the bearer of this to disembark and sell fifty bushels[1] of grain to the people at Chignecto, without first making the usual entry at Annapolis.

(signed.)

R. Philipps

Philipps to the Habitans of Annapolis River.

Ap. 30 O. S. Annapolis. As it may conduce to the King's service and the welfare of the *habitans*, to have free access to the Governor, and the opportunity of declaring their intentions in regard to H. M. Govt., P. orders them to choose on May 4th, 1720, O. S., six deputies to act for them, whenever necessary.

(signed.)

A^r Savage Secy. R. Philipps

Philipps to Durand [2 [3

Ap. 30 O. S. Annapolis. Orders J. D. to read enclosed proclamation in full assembly and post it afterwards on the chapel door, that no one may pretend ignorance. Will be glad to do anything for him, not contrary to his instructions.

(signed)

R. Philipps

Philipps to Durand.

May 2 O. S. Annapolis. Surprised to find that D. had left his parish without leave. The Lieut. Gov. had given him a good character. P.'s treatment of him and of the *habitans* has certainly given him no cause for apprehension. There is no cause for alarm, as P. intends to treat all with mildness: and, notwithstanding D.'s conduct, P. has a high regard for him, and is ready to meet all reasonable requests.

(signed.)

R: Philipps.

1. Text reads "cinquante boisseaux:" N. S. Archives p. 22 reads "fifty hhds."

2. Direction reads: "An Rev'd Pere Justinien Durand, Recollet au haut de la Riviere"

Philipps to the Habitans of Annapolis River. [4

As it is to the interest of the *habitans* to have for representatives the oldest and richest men, and as Prudent Roblescheaux and Nicholas Gautier have not these qualifications, they are ordered to elect two proper persons in their place. 1720. May 7 O. S. Annapolis.

(signed.)

R Philipps.

Philipps to the Habitans of Annapolis River.[1]

Notwithstanding their good treatment and the proclamation of Ap. 19th, 1720, O. S., the habitans have shown disobedience and ingratitude and are cutting a road to Minas apparently with the intention of molesting this garrison, or of removing themselves and their effects to Minas. They are therefore ordered to desist at once: otherwise their conduct will be treated as defiance of the King's authority. All are forbidden to leave their settlements without the Governor's permission. May 18 O. S. Annapolis.

(signed.)

R. Philipps.

1. English draft, printed N. S. Archives, p. 30.

END OF MS. 14.

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COMMISSION BOOK.

1720-1741.

MS. 20 is entered in the Akins catalogue, "20. 1750-1741. Commission Book kept at Annapolis Royal from May 25th, 1720, to December, 8th, 1741, marked A., with Index. This book is bound in rough calf, and is in a damaged condition from damp.—" It consists of Index, two folios, unnumbered, and 230 pages, numbered oddly, 1-208, then 300-309, 400-409, and the last blank. The damage which Akins noted has not diminished with time. Even turning the leaves over with the utmost care causes the paper to fall apart. The entries were made with great care, in very legible hands. Marginal notes were furnished and an index, which have not been transcribed.

Order. [*1*

Gyles Hall to be Justice of the Peace at Canso.

(signed.)

May 9. Annapolis. Philipps.

Memo. Ditto to John Henshaw, Esq., at Canso.

May 25.

Memo. "Afterwards with a Commission for Captain of a company of Militia at Canso."

Ditto to John Richards Esq. at Canso [memo.]

Philipps.

Order.

John Richards to be Justice of the Peace at Canso; commission in full. On margin "afterwards to Thomas richards with Comission as Captain of a Comp.y of Melitia at Cansoe."

(signed.)

Rich. Philipps.

Order. [2

Arthur Savage to be Naval Officer of His Majesty's province of Nova Scotia.

(signed.)
Rich. Philipps.

Order. [3

Arthur Savage to be Public Secretary of this Province of Nova Scotia.

R. Philipps.

Philipps's Commission. [4

For the Government of Nova Scotia 1719: to be (1) "our Governor of Placentia in Newfoundland & Our Captain General and Governor in Chief in and over Our Province of Nova Scotia or Accadie in America"; (2) grants powers to appoint Council, not exceeding twelve, five constituting a quorum, (3) and to administer to them the usual oaths; (4) and "to levy, Arm, Muster, Command and Employ all Persons whatsoever Residing within our Said Province of Nova Scotia, Under your Government, and as Occasion shall [word illegible] to March from one place to another, or to Embark them for the Resisting of all Enemys, Pirates and Rebels both at Sea and at Land, and to transport Such forces to any of our Plantations in America, if necessity Shall Require for Defense of the Same, against the Invasion or Attempts of any of our Enemys, and Such Enemys, Pirates or Rebels, if there shall be Occasion, to pursue & prosecute in and out of the Limits of our Said Province, and if it shall so please God, them to Vanquish, apprehend and take, and being taken, According to Law, to put to Death or keep and preserve alive, at your Discretion, and to execute Martiall Law in time of Invasion, Insurrection or Warr, and to Do and Execute all and every Other thing and things which to our Captain General & Governor in chief doth or ought of Right to Belong; "(5) and to adjudge and settle all claims and disputes in regard to land in the province; (6) "And We do hereby Give and Grant unto you the Said Richard Philipps or to any five or more of the

Council, full Power and Authority to Administer the forementioned Oaths unto every Person in the said Province Capable by the Laws to take the Same"; (7) and to do what further may be necessary for the security of the province; (8) all to be obedient to him, or to any deputy he may appoint; (9) and Philipps to be Governor &c. at the King's pleasure.

Whitehall, 12th March, 1724/5 } a true Coppy. Ex^d.

(signed)

Alured Popple

Annapolis Royal, 21st Sepr. 1726

"A true Record taken by order of the Govr and Council, from the above . . . . 12th March 1724/5"

NOTE: also the end of Shirreff's signature & date 15th May 1727

Royal Commission. [8

Lawrence Armstrong to be Lieutenant-Governor in N. S. St. James, Feb. 8, 1724/5 & Annapolis Royal, Sept. 21, 1726

Commission for J. P.'s. [9

John Adams, William Skeen, and William Shirreff to be not only Justices of the Peace "as you are members of the Council for Said Province," * * * "But also for want of Such a Quorum of the Council as is required by His Majestys Instructions for the Government of this His Said Province, to Examine and Enquire into all Pleas, Debates and Differences that are or may be amongst the inhabitants of Said Province and to make Reports of your Oppinions and Judgements thereof to the Gov. or Commander in Chief for Confirmation of your Said Judgements or Otherways."

Dated at Annapolis, March 28. 1727.

(signed.)

L. Armstrong.

Commission. [10

Francis Richards Esq. to be High Constable.

Annapolis, Ap. 5, 1727.

(signed.)

L. Armstrong.

Commission. [*11*

Martain Remy, Yeoman to be Constable.
Annapolis, Ap. 5, 17

(signed.)

. Armstrong

Commission for J. P. . [*12*

Prudent Robichau Senr Esq. to be Justice of the Peace for Annapolis[1]

Annapolis, Ap. 5, 1727.

(signed)

L. Armstrong.

Commission for Clerk. [*13*

John Duon to be Clerk to the Justices of the Peace
Annapolis, Ap. 5. 1727.

(signed.)

L. Armstrong

Copy of Broad Seal Commission.

Preamble states that Philipps was appointed Governor on the 9th July, in the 5th Yr. of George the First's Reign. His office was continued six months after the demise of his late Majesty, and is now continued "untill our Pleasure be further known or other Provision be made concerning ye sd Office." Old commissions formally revoked and Philipps appointed anew Governor of Placentia in Newfoundland & Captain General and Governor in Chief in & over our Province of Nova Scotia or Accadie. Philipps is empowered: 1) to administer justice and manage public affairs; 2) to nominate twelve fitting and discreet persons to be members of the Council; 3) is required to administer the usual oaths; 4) any five of the Council empowered to administer the oaths to Philipps; 5) Philipps given all military powers in the province; 6) and all other necessary powers, not defined: 7) and civil powers to settle all questions of inheritance; 8) to administer all necessary oaths to the inhabitants (five or more of the Council having the same

1. Subscribed "Attested by Wm. Shirreff Secy. this 16 May 1727."

power); 9) obedience to R. Philipps or his deputy is enjoined on all; 10) Philipps to enjoy all these rights at the pleasure of the King.

Dated at Westminster, Sept. 11, the second year of our (George II's) reign.

signed By Writt of Privy Seal

Bisse & Bray

"A true Record of ye Originall
Attested p. Eras. J^as^ Philipps Secretary
this 10th day of Dec. 1730"

Sir William Strickland to Armstrong. [16

Shirreff to be Secretary; until the arrival of Captain Philipps.

(signed.)

Whitehall, Ap. 2. 1731 Wm Strickland.
Attested by E. J. Philipps July 19, 1731.

Strickland to Shirreff. [17

Shireff to act as Secretary during Philipps' absence and receive the moiety of his pay commencing with S.'s arrival in Nova Scotia.

(signed.)

Whitehall, March 26. 1731 William Strickland.
Attested by E. J. Philipps July 19. 1731.

Strickland to Colonel Philipps.

Orders to hand government over to Armstrong (the bearer of this) and repair without loss of time to Great Britain, to adjust and settle the accounts of several officers of P.'s regiment, whose petitions have been referred to the board of General Officers. The report of the latter has been laid before the King, and a copy is sent herewith to Philipps.

Report of General Officers.

Have examined the petitions of the officers of Col. Philipps's Regt. of Foot, complaining that large sums are due them from the late Col. Gardner, Col. Philipps's agent. Col. Gardner's

widow refuses to produce his books or allow the officers accounts to be drawn from them ; she has not answered the letter written by the order of the Board.

The sum due the officers is very large. Creditors threaten to throw them into jail; some have been bailed out.

Board recommends that Philipps be ordered home and that his pay be stopped until he has made these sums good.

The Horse Guards Dec. 8, 1730 (signed.)

Orkney Hump. Gore
Carpenter H. Grove
Thos. Wetham Tyrrell
Wm. Evans
R. Russell

Order to Return. [*18*

Philipps ordered home in the King's name, to adjust and settle the debts owing to the officers of his regiment. Armstrong to be governor during his absence.

(signed.)

St James, March 15, 1730/1 By His Majesty's Command
Holles Newcastle.

Newcastle to Armstrong.

Orders for Philipps's recall entrusted to him, for immediate delivery to P. on arrival in N. S. Armstrong to take over the government.

Whitehall, March 15, 1730/1 (signed.)
Holles Newcastle.

Strickland to Armstrong.

Ordered to repair to Nova Scotia, with letter for Philipps' recall. Armstrong to have Governor's pay as long as he retains the office.

Whitehall Jan. 16. 17$\frac{30}{31}$ (signed.)
Wm Strickland.

George Mit hell to Armstrong. [20

As deputy to Col. David Dunbar, Surveyor General for Nova Scotia, reports on the surveys made between the river of Kemebeck and the river St. Croix in A.'s province.

"Colonel Dunbar by his Majesty's Order has laid out six Townships vizt upon the river formerly Called Sheepscott he has settled a Township Now Called Newcastle, Up the River Called by the Indians Permysquam, is fixt Townshend to the Eastward of Newcastle, On the River Damerscotty He has Settled Walpole On St. John's River, is an Other Township called Harrington, on the River commonly known by the Name of Pemmiquid is Scituate Frederick's ffort and further East is Settled Torrenton formerly Called Mascougas."

(signed.)

Annapolis, Sep. 22, 1732. Geo. Mitchell.

Mitchell Appointed Deputy Surveyor.

Preamble states that by an order-in-Council, dated at St. James, March 28 1728, and a writing of the Lords of the Treasury dated at Whitehall May 9, 1728, David Dunbar Esq. (Surveyor-General of his Majesty's Woods on the Continent on America) is constituted Surveyor General of His Majesty's woods in Nova Scotia, "to make out and Set apart for his Majesty's use Such tracts of his Said Majesty's lands as Shall be found upon Survey to be most proper for producing of Masts and other timber for the use of the Royall Navy, and lying Contiguous to the Sea Coast or Navigable Rivers there, which tracts of land are not to amount to less than Two hundred Thousand Acres in the whole, and to be marked and Set apart in Such Manner as may for Ever hereafter Secure a lasting Store of Timber for the Service of the Royall Navy in those parts, free from any Contests that may be occasioned by Intermixture of private propertys." Dunbar is ordered to proceed without delay to execute this commission, and appoints George Mitchell Gentleman to be one of his deputies with all rights and responsibilities, at his (Dunbar's) pleasure.

(signed.)

David Dunbar

London, March 17, 1728.

At bottom "This Intitles Mr. Mitchell to a Sallary of one hundred pounds p[r] ann. Ster. to be paid to him or his assigns quarterly [paper gone] Dunbar"

Royal Instructions to David Dunbar.[1] [22

Preamble rehearses the advantages of America being a source of naval stores, and orders Dunbar to begin work with least possible delay. Nova Scotia reported as abounding in all necessary timber. Dunbar to proceed thither and lay out convenient tracts, not less than 200,000 acres in extent, which must be near the sea-coast. Act of 9th Anne for preserving white pine (for masting) in "her Majestys Colonies of New Hampshire, the Massachussetts Bay" &c., to be enforced. Desirable trees not private property to be marked. Doubts as to trees 24 inches in diameter at 12 inches from the ground being reserved to the Crown, to be dispelled: trees of this size not to be felled anywhere, without the Surveyor's license. Dunbar to instruct the inhabitants in the growth and manufacture of tar, pitch, hemp and other naval stores, so that G. B. may not be forced to depend on foreign countries for such supplies. Pitch-and-tar casks to have name and address of manufacturers upon them. To report progress every three months (or oftener if necessary) to Secretary of State, Commissioners of Admiralty, and of Trade and Plantations. All governors of provinces to co-operate and assist.

(signed.)
Walpole
Geo: Dodington
Geo: Cxenden
Wm Clayton

Dunbar's Instructions to Mitchell. [26

To proceed to Annapolis Royal and show the Governor his papers and commission. To select with care woods of large timber, especially of white pine fit for masts, yards and bowsprits, adjacent to harbors and the mouths of rivers: but, as this rule followed out strictly may prevent settlements, he is

1. "Surveyor of the Woods in the Continent of America."

to consult with the Governor and report all such cases, duly attested to Dunbar. Regular plans to be kept carefully in a special book. Plan and survey of lands to be made to each grantee; and a detailed copy to be made in the book aforesaid. To be under the Governor's orders, who will furnish a guard &c. Care to be used. He is to communicate frequently with Dunbar.

Boston, Ap. 22 1730.

Dunbar to Mitchell. [*27*

M. to show commission as deputy to the Governor of Nova Scotia.

Frederick's Fort, Sept, 12, 1732.

Dunbar's Commission to Mitchell. [*28*

Has appointed M. Deputy-Surveyor, to take care of the woods of Nova Scotia in the interests of the Royal Navy. Does hereby constitute him Deputy-Surveyor, with all rights and privileges appertaining thereto.

Frederick's Fort, Sept. 12, 1732.

John Hamilton to be Naval Officer at Annapolis.

Annapolis, March 20, 1733/4 Appointed by Armstrong

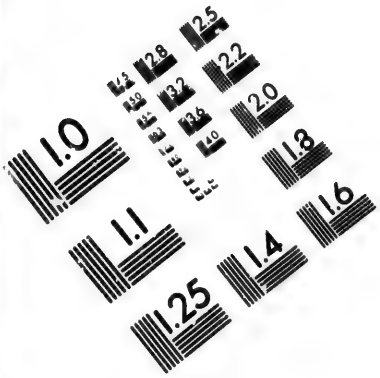
Otis Little to be Justice of the Peace. [*29*

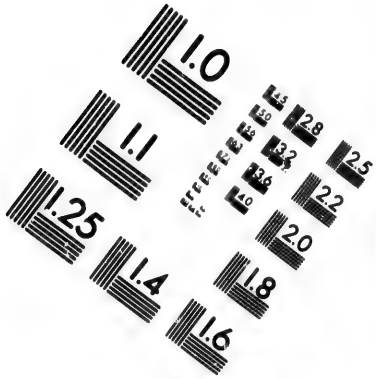
"for any part or place within His Majesty's Province of Nova Scotia".

Annapolis, Nov. 22, 1736. Appointed by Armstrong

Proclamation to the Inhabitants of N. S. [*30*

Preamble: "Whereas hitherto it hath been Customary with the Inhabitants of this his Majesty's Said Province upon their Private Disputes and Little Differences Immediately or at such times as they thought proper to apply to the Governor and Council by Petition for Redress and have either through





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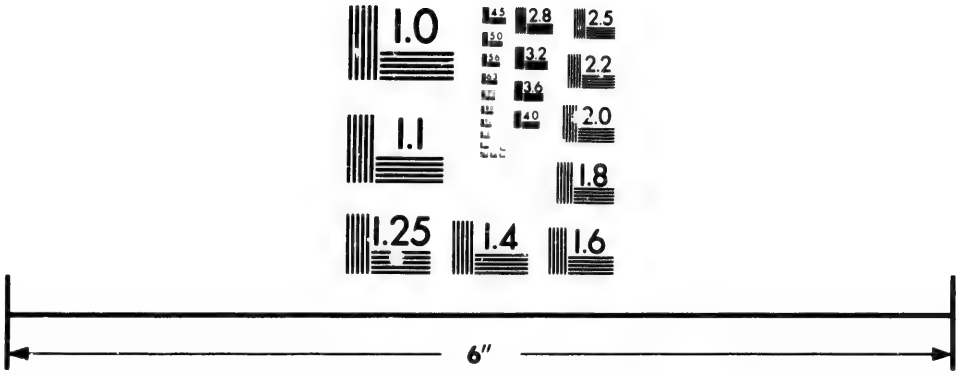

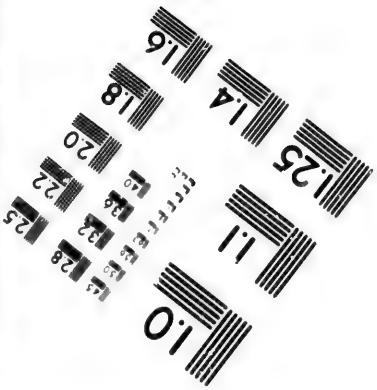

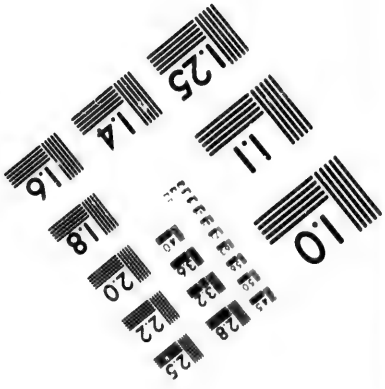

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Ignorance or Design neglected most frequently to cause the Person or Persons complained against to be duely summoned or at least not given them Due time to prepare and make Answer to Such Complaints & Petitions as have been often Lodged & Exhibited against them to the great prejudice of both partys, Especially if Living at any considerable distance from this Place; and whereas Such a Practise hath been Exclaimed against by Several of the Inhabitants themselves not only as hurtfull & prejudicial to their private & Domestick affairs to be thus Hurried & Impeded by their Impatient, Cruel & Letigeous Neighbours, but even also very troublesome, fatigueing and Inconvenient to the Governor & Council to be meeting daily and almost constantly to the Prejudice many times of their own Private Affairs to hear and examine their many frivolous and undigested Complaints." Therefore four terms are appointed: 1st. first (?)[1] Tuesday in March; 2nd, the first (?), Tuesday in May; 3rd, the last Tuesday in July; 4th, the last Tuesday in November. Complainants are to lodge complaints at the Secretary's office, and apply to the Secretary for summonses to be sent to the defendants, that the latter may have at least three weeks' notice of proceedings.[2]

Annapolis, Jan. 13, 1737-8.

(signed.)

L. Armstrong

NOTE. Translation of this occupies pp. 32, 33, immediately following.

Francis Cogswell to be Justice of the Peace. [34

"For the Town of Canso and the Places Adjacent"

Annapolis, Aug. 10, 1738 Appointed by Armstrong.

Note; below this is the entry

"One in favor of John Stanwood of Cape Ann
One Ditto for Abisha Weeler of Ipswich
One Ditto for

1. Paper very much worn, writing faint. In the French translation 'le premier Mardy.'

2. At the end "This Proclamation was entered through Inadvertence amongst the Records of Commissioners when it should have been in the Records of Orders."

sent to be filled up by Edward How Esq. and the other Justices at Canso as per Letter to him 11th Aug. 1738 folo 188."

Captain James Mitford to the Justice of the Quorum. [35

"at Canso;" Mitford styled "of the Honourable Brigadier General Richard Philipps, Regiment of ffoot"

Annapolis, Ap. 21. 1739 Appointed by Armstrong.

William Seeward to be Lieutenant of Militia.

"at Canso": blank left for name to Captain, not filled in.

Annapolis, Ap. 20. 1739 Appointed by Armstrong.

Note. Below this commission, apparently the last signed by Lieut. Govr. Armstrong, is the following: "N. B. One of the Same tenor of that given to Captain James Mitford Justice of the Quorum folio 35 was by His Honour the Lieut. Governor Granted to Lieut. John Broadstreet at Canso, and bears date this second day of July 1739, and given to be forwarded to him by Ens.^gn Chas Vane March 16th, 1741-2 A Commission of the Quorum of the same tenor of yt Above Speified (*sic*) Was this Day Granted to John Tasker Esq. of Canso as per minute of Council of said Date and Given to the President to be forwarded."

From this point on the document is very difficult to read. Many pages are in tatters; the first has been roughly mended. the ink is black, the handwriting firm, and the signature, "Eras. Jas. Philipps Secret^y" appears frequently.

Order.

The first [37] is a proclamation by Philipps in French, apparently ordering that French deputies be paid their travelling expenses by their compatriots.

Date not ascertainable.

Order.

The second [37] is in regard to keeping communication open between Annapolis and Minas, as in time of the French. Dated at Annapolis, 4th May, 4th year of George II. By Philipps.

The French translation of the above follows [51]. Date 1730 legible.

The road was apparently a cart road, "un chemin de Charete"

Order.

Philipps to the inhabitants of Annapolis, commanding them to bring all writings, deeds, &c. giving them claims to land, to the Secretary's office to be confirmed. "Inasmuch as no other tenures will be allowed valid."
Annapolis, Dec. 24, 1730

Translation of the above in French [52]. Writings to be in before Feb. 28: new papers to be made out.

Order.

In French: to constitute "Sieur Alex. Bourg de Bellhumeur" Procoureur du Roy[1]: Apparently in regard to escheated lands:

Accounts to be rendered twice a year: to pay himself by fees, deducting three shillings per pound sterling.
Annapolis, Dec. 10. 1730 Appointed by Philipps

Summons to the Inhabitants of Grand Pré.[1] [53

Preamble rehearses that the Inhabitants of Minas have attempted to rescue one John Tourno, a naturalized British subject who had deserted from a vessel, after he had been put on board. Went off threatening to send those who could: and incited a parcel of savages to the work. These did board the vessel and rescue John Tourno, who is now detained at Minas. "Amand Bugeau, Jeau Laundry and Jean Le Blanc sirnam'd

1. Specimen of English-French in this document: "la Persoune qu'on jugeroit etre la plus propre & la plus Capable."

Jean des Sappins all of Grand Pre'" are summoned to appear before the Governor and Council within eight days to answer what shall be laid to their charge, on penalty of outlawry. Inhabitants of Minas (on account of this and many former instances of misbehavior) are to be held responsible in future for all bad conduct of the Indians, "under y° penalty of being treated as Rebells."

Annapolis, March 19, 1730-31

(Signed.)

R. Philipps.

Translation of the foregoing follows, [55 f.]

Proclamation to regulate Currency and Exports. [*56*

Preamble rehearses the great difficulties and inconveniences attending this province from the want of a currency; state of things likely to become worse as the French inhabitants refuse to take anything but French silver money which is brought in by clandestine trade between the French settled at the head of the Bay and the neighboring French colony (C. B.) in live cattle, corn and other provisions, " which Mony is hoarded up in order to be sent to Boston, where it is of considerable more value than here" so that there is almost no circulation of it in this province. The Garrisons have only Boston paper money to supply their needs, which the inhabitants refuse to accept. (1) All French and foreign silver is worth no more in this province than fourteen shillings per ounce and from the 25th of March 1730-31 is not to pass for more than eighteen shillings per ounce. Bills of New England are to be legal tender in all contracts. (2.) In view of the great exportation of late years, of corn, cattle, sheep and hogs as well alive as slaughtered beyond what the yearly produce of the stock of this province can afford and the consequent threatened scarcity, especially since many new settlers are expected; no vessel trading to or from the province shall carry a greater quantity than two months' provisions. The inhabitants of Minas, Chignecto, Piziquid, Cobequid and other settlements up the Bay are forbidden to ship cattle, sheep or other provisions at Chebucto, Tapenagoock,

Chignecto or any other creeks or places to be carried to any foreign settlement "except at this port of Annapolis Royall only, under ye penalty of twelve months imprisonment, & forfeiture of 50£. N: England Currency, to be levy'd by distress an ye Goods & Estate of ye Offender, the one half thereof to be given to ye Informer."

Annapolis, March 11. 1730-31 (signed.)

R. Philipps.

French translation of foregoing follows [58-60]

Grant of Land to John Dyson. [*60*

John Dyson sergeant and store-keeper to the Board of Ordnance has represented that the plot of ground on which the garrison lime-kiln stands between the fort and the town of Annapolis, is daily encroached upon by the sea, and will in a few years be washed away, if not prevented. If granted the land to build a dwelling house on, he will engage to fence the ground with stakes and plank, thereby securing it against further damage. Granted (boundaries being defined[1]) on condition of making such fence until such time as G. B. shall undertake to enlarge the fort, or till war shall break out in this province and it is necessary to demolish it.

Annapolis, Ap. 28. 1731

(signed.)

R. Philipps.

Order to Give Possession. [*61*

Joseph Robishau has complained some time in March that although he had paid John Hibbert for a piece of land four or five years ago, his brother Anthony Hibbert has ever since held forcible possession of it. Case heard in council. Hibbert acknowledged Robishau's right. Robishau believing all obstacles removed, went to Hibbert to get possession, who refused to comply with his just demand, and treated petitioner "with most Insulting and Injurious language." Order to give possession at sight of this.

Annapolis, Ap. 29. 1731

By Philipps but not signed.

1. Governor Cosby's summer house mentioned.

Cosby's grant at Canso. [62

Plot of land granted to Lt. Governor Cosby at Canso "whereon he had made improvement," by Governor and Council. Secretary ordered to prepare a rough draft according to dimensions given, with certain exceptions, such as that plot on which a barracks and a shed or shelter (for beasts) stand.

July 26. 1731

(signed.)

R. Philipps.

Follows an extract from the Council minutes of July 24, 1731, in which this plot is said to be "Scituate on the North side of the Hill of Canso (?) Butted and bounded with Pallasadoes, Butted on the South West Side by Doct^n Elliots Ground and on ye N. E. by Jno. Lissiasses Ground being in front one hundred and thirty feet Reaching along Nearest North East and South West Ranging back to the Sea northerly with a Wharff is (?) at (?) the Pond the Whole being Environnd with Pallasadoes."

Proclamation Regarding Unclaimed Lands. [63

Difficulties arise from people having unimproved land.[1] Fresh settlers coming in have applied for such lands, and have (apparently) been dispossessed. All persons having claims, not only on the waste lands near Annapolis but anywhere throughout the province, are hereby called on, to show cause before Ap. 10, 1732, why the same may not be disposed of for the benefit of the Crown. Proclamation to be read at the doors of the French churches in the morning, immediately before or after the service.

(signed.)

Annapolis, Aug. 25, 1731. R. Philipps.

Memo follows: "The above Proclamation being Ordered to be Translated into french Duplicates hereof Signed by his Excellcy were sent to the Deeputees of the River, Minas, Pissaquid, Cobaquit, & Shickanectau of wch Translation there is a copy upon file and being sent enclosed and Directed as aforesaid."

1. Chippody mentioned "particularly."

Order to Pay Pilot. [65

Lewis Hautbois to be pilot at Annapolis, and the inhabitants ordered to pay him for his services.[2]

(signed.)

Annapolis, Aug. 27, 1731 R. Philipps

Declaration in Regard to Work at Canso.

"Whereas it is the oppinion of some persons that I have Rec.[d] Sums of Money from the Government for Lodgements, Barracks, Store Rooms, ffortifications or other Works done at Canso for the Conveniency of the Troops posted there, I do hereby Declare such suggestions to be false and that I have Never Rec.[d] to the Value of a Shilling Directly nor Indirectly Nor any sum of Money whatever from the Gov.[t] Upon Acco.[t] of anything that has been done All which I here Certifie Under My hand this 26th Day of July, 1731"

(signed.)

R. Philipps.

Alured Popple to Phillips.

States that he encloses the opinion of the Attorney and the Solicitor General as to whether fines and recoveries passed here can cut off the entail of lands lying in the plantations.

Dated Whitehall, Feb. 24, 1730.

Entered at Annapolis by Shirreff, Sep. 25. 1731.

Copy of Opinion. [66

"No ffine levied on Recovery Suffered here of lands lying in any of the Plantations, Can Bar the Intail of Such lands unless the particular laws or Acts of Assembly of the Plantations where such lands lye have provided that fines or Recoverys levied or Suffered in England of lands there, Shall have that Effect, and in that Case the fforce of Such ffines and Recoverys Depends upon particular laws and acts of Assembly and must be Regulated by them."

(signed.)

Dec. 15, 1730 P. Yorke

Annapolis, Sept. 25, 1731 C. Talbot

2. Note: The French translation on file:

Royal Proclamation regarding Spanish Pirates.

Many outrages by Spanish ships upon English traders, in spite of the fact that the two countries are at peace, and that orders to cease hostilities have been issued to the Spanish Colonial governors. All plunderers with or without commission are to be considered as pirates. They are believed to receive secret encouragement and protection at the West Indian ports where they fit out. All British subjects so plundered are to declare at first seaport their losses, which are to be regularly investigated by the vice-admiralty court of said port. On the arrival of any of the King's ships, the governor is to deliver the declaration to commander, who is then to proceed to the port where the goods were taken and get satisfaction or conduct reprisals according to the general orders. Ample notice of this to be given.

(signed.)

Received at Annapolis Holles Newcastle
Sept. 25, 1731.

Reinstatement of an Outlaw.[1] *68*

Insolent conduct of Etienne Rivett to the Government, in stirring up the savages to depredations. In consequence, His Excellency has outlawed him and confiscated his estate. Rivett has appealed, shown that the information is false and malicious, attested by fifty-five of the principal people of Piziquid. On this consideration, and since he has comported himself peacefully and was the chief means of inducing the inhabitants to take the oath of allegiance, he is formally reinstated.

(signed.)

Annapolis, Sept. 21, 1731. L. Armstrong.

Armstrong to Alex.r Bourg of Minas. [*70*

In reply to Bourg's petition for grant of land, urging Philipps's promise, a minute of Council is enclosed: to the effect that notice should be given to the persons who dispute

1. Marginal note: "Act of Indemnity In favour of Etienne Rivet."

B.'s claim to appear against it and that B. be asked to account for the 200 Livres said to be advanced by him for His Majesty's Service. Bourg ordered to conform to it. Further, as people from Minas and other distant parts of the province are coming in daily, with complaints against their neighbours, and do not warn the "adverse partys" of their intention to proceed against them, Bourg is to order all complainants to give such warning or summons in due time. "I and the Gentlemen of the Council have no other Intention than to do Justice Impartially to you all."

Annapolis, Sept 21, 1731.

P. S. Hopes this will be read in church before Nigan Robichau, whom Bourg is requested to assist in procuring supplies for the garrison; objection comes from some refractory people at Minas, whom B. and the rest of the Deputies should look after.

Order for Survey of Lands. [71

As it is impossible to settle the disputes of the inhabitants in regard to their lands unless the boundaries thereof are determined, they are ordered to allow the King's surveyor to lay out their lands.

(signed.)

Annapolis, Oct. 15, 1731 L. Armstrong[1]

Copy of Minute of Council. [72

Mary Dennis, daughter of John Dennis, claims estate of her father deceased almost two years before, examined by the Council and proved to be the heir, is to be put into possession at once. Order to this effect sent to Alexander Bourg and the other Deputies of Minas.

Order to Deputies of Annapolis. [73

To meet Governor on Monday next, Nov. 1st., at 10 in the forenoon "ffail not as you will answer to the Contrary."

(signed.)

Annapolis, Oct. 29, 1731. Wm. Shirreff Secretary.

1. Note: "The ffrench translation upon ffyle."

Order for Division of Land.

Alexander Bourg and the Deputies of Minas ordered to divide the land "Between the two Ruisseauxs, Called by the Name of the Ruissauxs De Laigle," which has been in dispute, into two equal halves between John Depuis &c. and the heirs of the deceased Peter Terriot, and report the same to Armstrong in writing. Also John Depuis to be put in possession of the land in dispute between him and Boudrot and Landry.

(signed.)

Annapolis, Jan. 12, 1730/1 L. Armstrong.

Directions as to Plaintiffs and Defendants. [74

Refers to letter of Sept. 31st 1731 on the same matter, "the Great Charge that persons praying for Justice are put to By their Expensive Journeys from Such Remote parts of the Province as yours" (*i. e.* Minas). Former order repeated: viz., all those with differences to lay before the court must summons "the adverse party." If the defendants refuse to appear, the plaintiffs are to apply to Bourg for certificates to that effect. B. is to report to Armstrong the reasons alleged for refusal. Copies of this notice to be sent to the Deputies of "Chickenectua, Chippody and those others adjacent to your parts that the Same may be duly published."

(signed.)

Annapolis, Jan. 1731/2. L. Armstroug

Armstrong to Deputies of Minas.[1] [75

Persons have been cutting wood on a plot of ground known as the Common of Minas, apparently the property of Emanuel Hebert. Inhabitants of Minas and Grand Pré ordered to acquaint Hebert when and where they cut wood on said spot called the common, that the same may be measured and the said Emanuel paid sixpence per cord.

(signed.)

Annapolis, 1731/2 L. Armstrong

1. Paper rotted through greater part of this.

Order to Priest and Settlers at River St. John's.

As it is not from ignorance but presumption that they have settled so long in a British province without leave, in the first place, and without taking the oath of allegiance, they are ordered to repair to the port of Annapolis Royal and take the oath or answer for their misconduct.

(signed.)

Annapolis, March, 1732 L. Armstrong

Permit to Leave Settlement. [76

Paul Melanson, Joseph Surett, Peter Surrett, Joseph Cadett Jr., Martin Aucoin Jr. and Joseph Babin have leave to go and make report of the soil of both upland and marsh grounds and also of the woods, the river and the state, condition and depth of the harbour of that part of the province on the north shore of the bay of Fundy called and known by the name of Mushquash Cove. They are to return to this his Majesty's garrison as soon as possible, without marking or laying out any portion of said land, either for themselves or any others whatsoever, as they will answer at their peril.

(signed.)

Annapolis, March 28, 1732[1] L. Armstrong

Order for Release of an Englishman at Minas. [77

Letter from Mr De Godalie priest, to Mr. Gaulen priest at Annapolis of the 8th inst. informs Armstrong that said Godalie has a young Englishman in his custody. The deputies are charged and commanded to procure his release and to send him to Annapolis at once.

(signed.)

Annapolis, Ap. 20, 1732 L. Armstrong

Warrants for Preparing Material for Granary.

Réné Le Blanc of Minas authorized to have in readiness timbers fit for building a "magazine or granary, 26 ft. broad

1. Below is a note "N. B. There was another permitt of the Same tenor and date to Go to visit some ground lying at Apple River Given to Paul Le Blanc, John Le Blanc, (alias S. Lappin) James Tibau and Benjamin Le Blanc.

French measure within and 60 ft. long, and all other materials necessary: as also 1000 pieces of timber, 14 ft. long and about 8 or 9 inches in diameter with a sufficient quantity of binders proper for the same.

(signed.)

Annapolis, May 11, 1732. L. Armstrong

Order for Peaceable Possession. [78

Claude Gautrau not to be disturbed in the possession of his estates adjoining the common of Minas. He is also to occupy peaceably one fourth of the point of land, "as is mentioned and Agreed on by a Contract Given for the Same the 4th of July, 1688."

(signed.)

Annapolis, May 11, 1732. L. Armstrong

Order for Possession. [78

Whereas the Depuis have been at Annapolis again, complaining that the Boudrots and Landrys will not conform and submit to the sentence of the court in relation to the land lying between the two brooks called the Ruisseaux de l'Aigle, although both parties have agreed to a plan and signed it, which was witnessed by Francis Landry one of the Deputies, the Deputies are ordered to divide the land as already directed; the Depuis to have the half of wood and marsh-land nearest their plantation.

(signed.)

Annapolis, May 11, 1732. L. Armstrong.

The French translation of the following, [79].

Order as to Cordwood and Highways. [80

To suppress all fraudulent practices, the cord of wood is ordered to be "Eight foot long, four feet high and four foot over from one half Scarp to one half Scarp, Closely Piled, under the penalty of forfeiting the Same if offered to Sale, for the Benefit of the poor." Persons who have been encroaching on the King's highway are ordered to remove their pickets or fences

on or before Ap. 23, 1733. Except those in the town of Annapolis, who may have encroached upon the street by permission for the defenses of their houses.

(signed.)

Annapolis, Aug. 7. 1732 L. Armstrong.

Order to Deputies to Report[1] [*81*

Deputies "Andrew (?) Manuel, Joseph Bourgois, Goullaume Blanchard, & Claude Gerar" to repair to the house of Jean (?) Prince and Jacques Gourilles, ascertain the nature of their disagreement regarding their land and transmit a faithful report thereof to the Governor.

(signed.)

Annapolis, June 10, 1732 L. Armstrong.

Order for Choosing New Deputies.

Certain Deputies complain of expense and loss of time in the fulfilment of their duties and also that they were chosen by Govr. Philipps and not by the inhabitants. Therefore for the welfare of the province the present Deputies are to assemble the inhabitants on Sept. 2, next, and divide the "number of their familys" into eight equal divisions, give each division a distinguishing name. Each division is then to choose its deputy "an honest Discreet person" to represent them until next election. Same must be signified in writing and signed by at least a majority of the inhabitants. Each division is further "recommended" to provide for the deputy's expenses *before* they proceed to such election. As there is general complaint about the fraudulent measures in use in the province, especially the French half-bushel "most of them being false and unjust and not Conformable to the Standard," the deputies are ordered to search for all the standard half-bushels and bring them to the Governor to be duly compared and others carefully made and adjusted to be, for the future, only used in this province.

(signed.)

Annapolis, Aug. 26, 1732. L. Armstrong.

Translation of foregoing in French, [83-86.]

1. In French.

Notice to Prospective Immigrants. [*86*

As it is the intention of the British government to settle the province with Protestant inhabitants, notice is given that large tracts of land are to be granted in fee-simple. Major Mascarene at Boston, New England, to meet applicants.

Instructions to Mascarene. [*87*

As it is the King's intention that this province should be settled chiefly by Protestant settlers, Mascarene is ordered to proceed to Boston, to treat with such British subjects as may desire information regarding the soil and situation of the province. 1.) The foregoing advertisement is to be published; M. is to give every encouragement to inquirers to come and view the province. 2.) To recommend the advantages in St. John's river, Mushquash Cove, other places on the Bay of Fundy, as also on the eastern coast, the basin of the Annapolis, St. Mary's Bay, or other places not granted. 3.) Illegible except "apart one hundred thousand Acres or twelve miles Square to be granted in fee Simple. 4.) The place to be agreed upon "for Building of the Town is to Contain one hundred (?) dwelling Houses, with all other Necessary Conveniencys and that Each family Settling there, Shall be granted a Town Lot of forty Acres as Contiguous as possible, as also one hundred Acres or more without the Town, in proportion to the number, Industry and ability of Each family." 5) Not more than 100,000 acres to be granted to one person. 6.) Minister and schoolmaster each to have a lot and quantity of land. 7). First minister and schoolmaster to have grants made out in fee-simple like the rest. 8.) Perpetual quit rent of one penny per acre after the first three years, subject also to a further levy of not more than 1d. per acre annually over and above said quit rent. 9.) Non-payment of quit-rent for three years makes the patents void. Land must be improved, one-tenth of acreage at least within three years from grant of patent. 10.) Whereas the French have induced the Indians to withdraw from all intercourse with the English, Mascarene is to try to persuade the Gov.r of N.

England (Belcher) to establish a truck-house at St. John's River, where the most considerable tribe of Indians resides. M. is to communicate frequently with Armstrong, "and you are to take Especial Care not to transact any thing that may seem to make this province (as yet in its minority) anyways in the least Subordinate to, or Dependant upon that of New England, But to manage and fix all that may be done therein, upon the free and Mutual Interests of both Governments who ought at all times (according to their Respective abilitys) Readily to assist one another, for the Peace of Both, and the good of his Majesty's Service."

(signed.)

Annapolis, Sept. 11, 1732[1] L. Armstrong

French translation of the following: [90, 91.]

Proclamation Regarding Quit-Rents, Homages, &c. [92

Preamble refers to Philipps' order of Dec. 10, 1730, that all quit-rents, homages, services of whatever kind which the French of Minas and other places on the Bay of Fundy had paid to their respective seigneurs, should be paid to his Britannic Majesty. They are hereby ordered to have in readiness all such quit rents &c. with arrears since 1731 to be paid at the usual time appointed by their contracts to persons to be named by Armstrong. To prevent frauds, all contracts are to be given in charge of the various deputies, that A. may satisfy himself what their rents are.

(signed.)

Annapolis, Jan. 14, 1732/3 Wm. Shirreff.

Order to Deputies of Minas. [93

Case of the Depuis and Claude Boudrot and Landry brought before the Governor-in-Council again by attorney Depuis. The Judgment of the court (Jan. 10, 1731/2) has not been executed. The same evasions, equivocations and contempt has been shown in the case of Réné Le Blanc and the Melansons. Therefore Alexander Bourg and the Deputies of

1. Note. "N. E. Thus far Transmitted home."

Minas, together with the persons interested, particularly Philip Melanson and René Landry are ordered to appear at Annapolis and explain their misconduct.

(signed.)

Annapolis, Jan. 31, 1732/3 L. Armstrong.

French translation of above follows [93 f.]

Proclamation Regarding Half-Bushel. [*94*

Preamble refers to order of Aug. 20 'last,' requiring all half bushels to be brought in. The new standard measure is now ready. The Deputies of Annapolis river are ordered to bring in all half-bushels that can be found amongst the inhabitants, within twenty days. New half-bushels are to be made according to the standard, which also must be brought in to receive the legal stamp, declaring that all grain hereafter bought or sold and measured by the said half-bushels now ordered to be destroyed shall be confiscated and sold for the benefit of the poor. Those who will not comply are to be reported to the Governor.

(signed.)

Annapolis, Feb. 5, 1732/3 L. Armstrong

Order to Deputies. [*96*

Claude Gautrot of Minas has obtained an order for possession of part of the Common of Minas, representing that it was an inheritance. Sworn statements of respectable inhabitants deny the allegation of inheritance. The Minute of Council of Feb. 6, 1731, in relation to the quarter part of the point of land then in dispute, is to remain in force till Gautrot can obtain his vouchers. He is to quit at once the portion of the common occupied by him.[1]

(signed.)

Annapolis, Feb. 16, 1732/3 L. Armstrong.

1. NOTE. "It does not appear as yet to the Board that Claud Gautrot has any manner of legal right or pretension to the land lying on the Southern Side of the River Gaspero."

Board of Trade to Armstrong. [97

Acknowledges receipt of letters of Oct. 5 & Nov. 16, 1731, with enclosures. Dispute regarding Philipps appointing Major Cosby President of the Council has subsided, by the withdrawal of C. The senior member of Council is by virtue of his seniority to be President of the Council in the absence of the Gov.r and Lieut. Gov.r Authorized to grant land, although the Surveyor General may not have laid out the 300,000 acres of woodland necessary for the King's service: latter to lay out quantity of woodland for his service equal to each grant made. French seigneurs not entitled to claim under the Treaty of Utrecht: "it may be Reasonable that the immediate possessors of lands should Enjoy what they have actually Cultivated," but claims of large extent should be looked into and transmitted to Board. In regard to A.'s proposal in letter of Oct 5, to appoint justices of the peace among the French, the Board wishes that an English gentleman lived near, as no one can be J. P. without taking the regular oaths. In regard to A.'s request for a table of fees to be paid by grantees of land, the Board has no authority to give one, but advises A. to charge what is usual in the other colonies. A. is charged to keep a strict eye on the French missionaries that they do not increase beyond what is needful for the service of the inhabitants. Order regarding the French of St. John's River, to retire out of the province repeated, as they do not come under the terms of the treaty of Utrecht.

(signed.)

T. Westmorland
P. Dominique
T. Pelham
M. Bladen

Whitehall, Nov. 2, 1732.

Governor's Order in Relation to Sheep. [100

Complaints of loss of sheep and cattle from English and French inhabitants of Annapolis Royal, the Cape, Bellairs and

Rushew forshew[1] "(whose fflocks and herds Intermix and feed in common)". Francis Robicheaux (alias Nigan) and Claude Melanson have taken the office of herdsmen and overseers to "inspect into the Said Herds and fflocks" for the public welfare. All persons are notified not to put cattle into these herds without acquainting them with the marks; nor to take any beast out of the flocks on any pretense whatever, without first applying to one or both of the overseers, to get the flocks together at such a place as they, the overseers, shall designate, on penalty of paying double the value of the beasts so taken, half to go to the informer and half to the poor; also, for all such beasts as may be lost, besides loss of commonage. Further, as has been proposed by the French Deputies and approved by the Council, each owner of cattle is to pay to the overseers 6d. per bullock or cow, and 4d. for each sheep. Further, it shall be lawful for them to inquire of persons who kill cattle whom they bought them from and to demand a sight of the skins to inspect the marks. On the discovery of any fraud, the overseers are to report without respect of persons, who will be punished as the law directs.

(signed.)

Annapolis, July 19, 1733. L. Armstrong.

Armstrong to George Mitchell. [*102*

Preamble refers to Dunbar's instrument of deputation and his instructions dated at Boston, April 22, 1730. M. ordered to survey the land on both sides of the Annapolis river, "from the Gutt upwards Duely Distinguishing the Uninhabited lands from those belonging to the property of any particular person, whose Estates you are also to Survey, and to mark out the uncultivated lands of Each Estate from those that are Improven or inclosed." As many men as possible to be detached for M.'s guard. M. to make a plan and report all discoveries in regard to woods and soil, that the Govr. may transmit the information to the Lords of Trade.

(signed.)

Annapolis, July 20, 1733. L. Armstrong.

1. Ruisseau forchu (?)

Order to Set up Poles in Boundaries. [*103*

Formal notice to the inhabitants of Annapolis River to plant stakes or poles at their respective boundaries, "(Repeated verbal orders Communicated to them by their Deputys being Contemptuously Neglected and Despised)," that the land may be surveyed, according to the King's orders. One or two inhabitants from each town or village to be surveyed are to attend the surveyor with their Deputy "to inform the Surveyor more particularly of the Buttings and Boundings," so that there may be no more contentions. French inhabitants below the fort, to give attendance on Wednesday next with —— Robichau their Deputy to attend next Thursday.

(signed.)

Annapolis, Aug. 11, 1732 L. Armstrong

Order for Choosing New Deputies. [*104*

Refers to orders of Aug. 26, 1732, requiring election of Deputies annually. As it was agreed in Council, the Deputies of this river being present, that elections should always be held on Oct. 11, O. S., Sundays excepted, the inhabitants are ordered to comply and report to the Govr. New and outgoing Deputies to appear at Annapolis together to receive the Gov^rs approbation.

(signed.)

Annapolis, Aug.30, 1733 L. Armstrong

Certificate of Having Taken Oath of Allegiance.[1] [*105*

Alex^r Le Borgne "hath submitted himself and taken the Oath of Allegiance to his Most Sacred Majesty, Geo. II. "and acknowledged him the only True and Sovereigne Lord and Proprietor of this Said Province."

(signed.)

Annapolis, Sept. 27, 1733 L. Armstrong.

1. Marginal note: "Certificate that Belisle hath taken the Oath of Allegiance to His Majty." Addressed to all officers, civil and military.

Order to Prudane Robishau[1]

For collecting his Majesty's rents, &c., within the Banlieu. Preamble sets forth Philipps's appointment of Alex. Bourg of Minas to collect the quit-rents, dues, homages and other services formerly paid to the various seigneurs. Robichau authorized to do the same for the district of Annapolis River "Residing and being Within the Precincts and Limits of the Banlieu," viz. to collect "all said Rents, fines of Alienation and all other Dues and Demands and the Arrearages thereof" since 1732. To b paid three shillings out of every pound collected. To keep an exact rent roll and a just account. Empowered to give and ordered to take receipts for all payments. to take account of transfers of land. No deeds or conveyances hereafter to be valid except those passed by the Secretary or Robichau or persons of authority. Notification of all sales, deeds, conveyances, &c., to be sent to the Secretary that they may be registered in the Province Book of Records. Robichau also to take cognizance of the births and burials and also of all wills, that the intentions of the testator may be carried out.

(signed.)

Annapolis, Dec. 1, 1733 L. Armstrong

Note. At this same time similar powers were given to John Duon *outside* the "Precints and Limitts of the Banlieu."

Translation of foregoing into French [108-110].

Order to Pay Half Rent. [*111*

"Reny fforest, James Girroir And Renny Richards" are ordered to pay to Mde. Belisle "Each of you one half of the Usual Rents of your ffarms Which Consists of Six hogsheads three Bushels Wheat and thirteen fowels yearly" from Jan. 1st 1733/4 and the other half to be lodged in his Majesty's stores until further orders.[2]

(signed.)

Annapolis, Jan. 8, 1734/4 L. Armstrong

1. Called "Senr" in note at end.
2. Marginal note refers to Minute of Council, Jan. 6, 1733/4.

Order for Attachment.

At the request of Claude Landry of the Cape of Annapolis, the Govr orders John Hanshole and Prudent Robichau to attach goods in possession of Réné Doucett, the property of "widow Boudrot who has retired from St. Peters to Minas, until she returns to answer the charge of intention to defraud some poor orphans, or until further orders. They are to make inventory and appraisement of the goods; and give copies of inventory to Doucett and the Secretary. Deputies to be present at making of inventory.

Annapolis, Jan. 18, 1733. (signed.)

By his Honour's Command

Wm. Shirreff, Sec.^y

Order to Mitchell to Survey Minas, &c. [*113*

Mitchell has completed survey of "this River of Annapolis Royal." Ordered to survey as before, "Minas, Pissaquid, Cobequid, Cape-Doré, Shickaneckto, and Chippody" distinguishing between cultivated and uncultivated; and also "the Uninhabited Lands lying on both sides of the Basin of Minas up to Cobequid and Pissaquid; and from the Entry into the Basin of Mines, You are to take a survey of the Coast and Adjacent Lands to Shickaneckto, And of the Neck of Land from thence to the Bay of Vert; from thence you are to proceed to Chippody, the River St. Johns and so forward Round the Bay of ffundy to Passamaquody, Grand Menan and Untill You Come to Cape Sables." To return with plan and report as soon as possible.

(signed.)

Annapolis, Ap. 7, 1734. L. Armstrong

Order to "Renny ffforest, James Girroir, and Richards." [*114*

Refers to order of Jan. 8, 1732, requiring them to pay only one half their usual rents to Mde. Belisle, until it could be

ascertained whether their rents were farm or seigniorial rents. They are ordered to pay all their rent to Mde. Belisle, because upon inquiry, several inhabitants have asserted and none contradicted, that their rents are farm rents, until the pleasure of the King be further known.

(signed.)

Annapolis, Ap. 10, 1734. L. Armstrong

Order. [*115*

To Dyson and the Master Carpenter. Barrack behind Gov.'s house gone to decay and entirely ruinous, and dangerous. "None of the Troops can either with [gap] or Any manner of Decency be lodged therein," and as new troops are daily expected, they are to rebuild the barrack at once.

(signed.)

Annapolis, May 23, 1732. L. Armstrong

Order for Cutting Timber.

An immediate demand in the King's navy of timber of specified dimensions. Certain inhabitants assert that they have no such timber on their own ground. This authorizes them to cut and sell the requisite timber wherever it may be found on either side of "this river," unless the inhabitants on whose ground it is found are willing to cut and sell it at a fair price.

(signed.)

Annapolis, May 28, 1734 L. Armstrong

Order Against Riding Horses.[1] [*116*

Deputies have complained of wild fellows who catch the horses in the fields and race them to the great detriment of the beasts. Practice forbidden, on penalty of fine of ten pistoles, to be levied on their goods and chattels, and one month's imprisonment. Fathers to be responsible for their

1. In French.

sons. The informer to have two livres, taken from the ten pistoles fine.[1]

(signed.)

Annapolis, May 2nd, 1730 R. Phillipps

The translation of the postscript into French follows [117]

Order to Watch for Thieves.

Complaints have been made of various thefts and robberies committed. This authorizes the said inhabitants "to keep Watch & Ward for the Detecting & Apprehending the Actors of all such Crimes." They are authorized to challenge and fire upon (if the suspected person does not answer after the third challenge) any persons approaching their houses or property at an "unreasonable time of the night (which is meant from an hour after sun sett to fair Day light)." In all cases they are to report to the Governor at once.

(signed.

Annapolis, Sept. 12, 1735. L. Armstrong

Translation into French follows [118][2]

Order for Election of Deputies. [*119*

Formal notice as above, dated at Annapolis Sept. 12, 1734.

NOTE. "N. B. That Duplicates Were sent to the Grand Prée, River Canard, Pissaquid, Cobaquit And Shickanecto Directed to the Deputies of place With the following Translation thereunto subjoined Viz." Translation follows immediately.

Orders to Alex. Bourg and Deputies of Minas. [*120*

Alexander Le Borgne has complained that Charles Richards and his friends have prevented him from cutting hay on the King's lands, and even taken away what he had cut, pretending that the land had been granted to him by "one Mons.,

1. Postscript states that this order was laid before Armstrong on the 11, and ordered to be published anew and obeyed Sept 12, 1734.

2. Under Shirreff's signature as Secretary: "N. B. That ye french translation was not Signed."

Latoure." Such a person has no right to grant lands in this province. Richards has also shown contempt in refusing to answer due citation delivered by Mon. Bellisle. Deputies are to restore the hay to Le Borgne and summons Richards to appear before the Gov.[r] without delay.

(signed.)

Annapolis, Sept. 17, 1734 L. Armstrong

Translation into French of foregoing [121]

Order to Pay. [*122*

Charles Richards having appeared, according to preceeding order on the 19th, and his papers being found defective, it is ordered that R.'s partners return to Le Borgne of Bellisle eight loads of hay; R. being required to find security for the performance of this and to remain at Annapolis, until the Deputies certify that the return has been made.

Annapolis, Sept. 20, 1734. (signed.)

W[m] Shirreff Sec.[y]

Translation into French follows.

Order to Deputies to Discover Frauds. [*123*

Complaints have been made of frauds committed at various places, not only by foreigners but also by British subjects, to the great prejudice of His Majesty's customs and the discouragement of fair traders. The Deputies are ordered to enter sloop "Mary" (John Stride, master) and proceed to River St. John and other places in the Bay of Fundy, and "to discharge the Duty of your Office as the Case may Require"; they have power to require the assistance of all civil and military officers in conducting their inquiries.

(signed.)

Annapolis, Sept. 13, 1734. L. Armstrong

Commission to Ens.[r] Samuel Cottnam.[1]

There is clandestine and unlawful trade in the province, to the detriment of trade and the prejudice of the fair trader. C. is empowered "to Examine into these Unlawful practices and

1. Postscript reads: "N B That One of the same Tenor and Date was also Given to Mr Peter Blin Merchant."

to take and bring into this Port all Such Vessells and the Masters thereof Whether they be foreigners, Strangers or subjects that are not qualified to Trade in this province According to Law": to be there further examined.

(signed.)

Annapolis, Sept. 13, 1734 L. Armstrong

Order as to Road Between Annapolis and Minas. [*124*

Philipps's order of May 14, 1730, for a road between Annapolis and Minas has not only been evaded but "obstructed by some of the Inhabitants who have opposed passing through their Ground to the great prejudice of the Service thereby Intended, by cutting off through their unreasonable Obstinacy, even all Communication between one Village to another, unless through long round about unknown & almost impracticable paths." Inhabitants have complained and Deputies have petitioned. They are ordered to finish and perfect the said road from the "nethermost to the uppermost Houses on both sides of this River of Annapolis Royall; & to make and draw it through any up Land or low ground in as direct and streight a line as the nature & Situation of the ground will admit of" under the direction of Mr. Geo. Mitchell and Lt. Ed. Amhurst. All delinquents who in any way let or hinder the work, or hereafter refuse to repair the road shall answer for it. Deputies to report to Gov.r from time to time.

(signed.)

Annapolis, Oct. 29, 1734. L. Armstrong.

Instructions to Geo. Mitchell. [*125*

Almost no communication upon either side of the river from one village to another. Inhabitants have petitioned, by their Deputies, for a road on each side of the river from the nethermost to the uppermost houses. M. directed to "draw, over-

see and direct the Carying on the said work" on the north side of the river. Deputies to give attendance and to consult with him.

(signed.)

Annapolis, Oct. 29, 1734. L. Armstrong.

Instructions to Amhurst. [*126*

The same as the foregoing, except that A. is to work on the south side of the river.

Order to Deputies of Shickanecto.

Whereas, John Hebert, John Bap^t Terriot and Oliver D'Aigre have represented that Noel Pinet, Granjan Commaux and others have taken possession of their land, the Deputies are ordered to examine unto the case and report to the Gov. that Justice may be done.

(signed.)

Annapolis, Oct. 29, 1734 L. Armstrong

French translation of the foregoing follows [127]

Order to John Dyson, Store-keeper. [*128*

As a hospital is an absolute necessity for such of the troops as fall ill, and as the building set apart by the French and still reserved for that purpose, is entirely out of repair, Dyson is ordered to rebuild and repair and make the house fit for the purpose.

(signed.)

Annapolis, Oct. 24th, 1734. L. Armstrong

Follows the French translation of the order to repair the roads, omitted from fol. 124.

Order for Arrest. [*129*

John Hamilton, Naval officer for the province, in the performance of his duty at Minas, was "most audaciously & insolently Insulted & Affronted by one Petit Jacque le Blanc"

Deputies stringently ordered to arrest and send to Annapolis le Blanc, to answer the charge.

(signed.)

Annapolis, Nov. 2, 1734 L. Armstrong

Translation into French of foregoing follows [130]

Order to Geo. Mitchell.

As several gentlemen have petitioned and are willing to settle, cultivate and improve lands at Minas, beginning at Chevery's Creek, thence westward along the sea shore to the mouth of Pissaquet river, and as it is well to encourage such adventures, M. is ordered to proceed thither as soon as weather permits, survey and chart the land, and report in writing on timber for the navy. M. is also to survey another tract three or four leagues distant eastward from Chevery's creek, called Grand Saut, and half a mile to the westward and half a mile back into the woods, and report on the same. And also "the neck of Land Streatching from the Main commonly called Cape ffandui" and such other part of the Basin of Minas, as the season will permit. And report as soon as possible, that patents may be made out for the settlers.

(signed.)

Annapolis, Nov. 30, 1734. L. Armstrong

Order to Prevent Exportation of Cattle. [131

Preamble refers to Phillips's order of March 11, 1730/31, forbidding exportation of cattle from the province. Certain inhabitants of "Menis, Cobaquid, Chignecton and other places" for their "own Privite Interests & Selfish veiws" do, in contempt of this proclamation, export annually great quantities of cattle both slaughtered and alive to Cape Breton, to the detriment of British subjects "all manner of provisions being thereby inhanced & the Stocks are Impaired & greatly deminished by such pernicious proceedings, in violation of the Laws of nations which direct all Governments & Societys of

men to Defend & provide for themselves the necessaries of Life." Prohibition renewed "strictly & Expressly." No cattle to be taken out of the province except at Annapolis or Canso. Even driving cattle to any other point but A. & C., as named, in order to ship them out of the province is an offence. Penalty, one year's imprisonment, and fine of £50 N. England currency, which may be levied by distress upon the goods of the guilty person. Half to go to the informer, "who shall Sue for the Same."

(signed.)

Annapolis, Ap. 2, 1735 L. Armstrong

Order as to Half-bushels and Liquid Measures. [*133*

Refers to Minute of Council of July 27, 1732, and Feb. 5, 1732/3 requiring all half-bushels to be of legal size. Orders have been disregarded at Minas and complaints have been made to the Gov.r of frauds committed. Deputies of each district are ordered to search carefully for all half-bushels of French measure and bring them in that they may be compared with the standard, before the 20th inst., that they may be compared and adjusted with those standards formerly given to the Deputies. Liquid measures are to be brought in likewise. Penalty, all grain measured by fraudulent measures to be confiscated.

(signed.)

Minas, Ap. 17, 1735 L. Armstrong.

Translation into French of foregoing [134]

Order for Repairing the Dykes of Piziquid[1]. [*134*

Preamble refers to people so indolent as to neglect barriers and fences, by which the fruits of the earth are destroyed, to the detriment of their neighbours and the public weal. All ordered expressly to keep their dykes, barriers and fences in repair. A fine of fifty livres imposed: and the negligent person required to pay "double the charges of all Dammage

1. Paper much decayed and writing faded.

& Expense" that the injured persons thereby sustain. As a preventive measure, three of the Deputies and two of the "Ancient" inhabitants are to inspect the dykes every spring and fall, and direct repairs. The owners of such unruly cattle as break through or jump over the fences declared good by the commission, must dispose of them; or be under the same penalties as those who do not keep their dykes in repair.

Annapolis, Ap. 17, 1735.

(signed.)

L. Armstrong.

Order for Repairing Road between Minas and Piziquid. [*135*

Road "is become bad by severall runs of water."[1] People cannot travel except with much difficulty; and have requested that it be amended. Ordered to repair it, or make another alongside properly drained by the channels in the old one. Minas to furnish half the necessary men and Piziquid the other.

Annapolis, Ap. 24, 1735.

(signed.)

L. Armstrong

Translation of foregoing into French [136]

Order to View a Road in Dispute. [*137*

Preamble refers to Order of Council of same date, regarding dispute between René Blanchard, plaintiff, *vs.* Antoine Celestine and Claude Babin, defendants. Deputies ordered to choose "four Ancient Indifferent Inhabitants," to inspect the land in dispute, draw a plan of it and report to the Governor-in-council.

Annapolis, Ap. 26, 1735.

(signed.)

Wm. Shirreff, Sec.[2] Wm. Shirreff, Sec.[2]

1. French trans. "Inundations."
2. In the clerk's hand.

Order not to Cut Hay on Disputed Ground.

Several disputes in regard to a piece of "mash[1] ground," said to be granted by M. de la Tour to Joseph Dugas, which cannot be decided. Therefore no one is allowed (not even M. le Borgne de Bellisle, who had been granted the privilege) to cut hay "till further orders or my return hither."

Minas, May 7, 1735.

(signed.)

L: Armstrong

Order to Survey Cape Dorey. [*138*

George Mitchell, Deputy Surveyor of the Woods, &c., directed to survey and make a plan of the tract of land mentioned in Minute of Privy Council and to report on same.

Minas, Ap. 8, 1735.

(signed.)

L. Armstrong.

N. B. That said minute was affixed to order.

Wm. Shirreff Sec.[ry]

Order for Election of Deputies.

Oct 11 being "the Anniversary day for Chusing of New Deputies," for the coming year, the old Deputies are ordered to make preparation for the election. Those elected are strictly ordered to appear at once before the Governor-in-council for approbation.

Annapolis, Sept. 14, 1735.

(signed.)

L. Armstrong

"N. B. That there were sent Copies with the french translation foll[s]—of the same tenour & date to the Deputys of

1. In the clerk's hand. So spelt also in margin.

Menis, Piziquet, & The River Canard, Cobaquit & Chignectou."

French translation of foregoing [139]

Order Forbidding Work on Crown Lands.

Governor's previous order of Oct. 29, 1734, forbidding Noel Pinet, Grandjean Commeaux and others who had "of their own Accord" taken possession of some Crown land at or near Chignecto, has been disregarded. They are in contempt of H. M. govt. by continuing to work thereon. Deputies have not sent report, as ordered. Hereby directed to forbid anyone to trespass on disputed property, until further orders or Armstrong's arrival. Deputies to cause this order to be published at the church door after mass for three Sundays, that none may pretend ignorance.

Annapolis, Sept. 20, 1735.

(signed.)

L: Armstrong.

Order for Keeping Dykes, &c., in Repair. [140

See order [135] relating to repairs of dykes at Piziquid. Literally the same; except that it is now made applicable to the entire province. "Strictly & Expressly to Require Every Inhab.t & all & Every Other person or persons Whatsoever Residing in this Province who have Property in lands therein Situated to keep their Dykes, &c.," as before. Same penalty.

(signed.)

Annapolis, March 5 1735\6.

L: Armstrong

French translation of foregoing [141]

Order in regard to Réné Guillot. [142

Directions to Charles Duron and Deputies of Piziquid not to disturb or molest Réné Guillot in possession of his house

and lands in Piziquid " 'till the said Charles Duron can make it Appear by Clear & undoubted proofs (the Deed of Sale of said Lands being confessed by both partys to be Payed[1]) that he and not his Deceased ffather John Duron was the real Purchaser thereof and that the Deed of Sale was Actually in his Name as His Attorney Paul Boudrot hath in Opposition to the Plaintiff Alledged." Minute of Council to be observed, that there be no breach of the peace by either party.

Annapolis, May 24, 1737.

(signed.)
Wm Shirreff, Sec.ry.

Order in regard to Mass-House at Annapolis. [*143*

Reported to Lieut.-Gov.r that the inhabitants of Annapolis have set up a mass-house and thereby (as it were) divided the district into two parishes. Contrary to standing orders Deputies to come on Saturday, 12th at 10 a. m. with "Ancient" inhabitants and others to explain to the Governor by what authority they did so.

Annapolis, June 9, 1735

(signed.)
Wm. Shirreff Sec.ry.

Translation of foregoing into French [144]

Order to Pierre, Chief of Cape Sables Indians. [*145*

Pierre, in obedience to the Governor's letter of May 17th, has appeared before him and has cleared himself from the suspicion of plundering an English vessel (the brigantine Baltimore) in Tibogue and has promised to search for and recover the missing property for the lawful owners. He is hereby authorized to examine the Indians of his tribe, to do everything in his power to get the goods back, and to obtain all information regarding the whole affair.

Annapolis, July 10, 1736

(signed.)

Wm. Shirreff Sec.ry L. Armstrong

N. B. "That this order was given During my absence Capt. Hamilton then acting as Sec.ry"

1. Word doubtful: very faint.

Order Regarding Disputed Land.

Stephen Rivette and Claude Broussard have appeared before Governor-in-council; in regard to a piece of land purchased by Broussard from Cécile, Rivette's half-sister. Suit too weighty to decide at once; but Broussard is to retain possession this year, and a committee of four "ancient" inhabitants, two being chosen by each party are to examine and report on their claims.

Annapolis, Aug. 17, 1736.

(signed.)

Otho Hamilton Sec.[y] L. Armstrong

Translation of foregoing into French. [145]

Order for Election of Deputies for 1737.

In French: form and contents similar to those of the orders for 1736 [138 f.] q. v.

Annapolis, Oct. 4, 1636.

(signed.)

Otho Hamilton Sec.[1]

Proclamation for Settling the Province. [147

Preamble refers to H. M. desire to have the province populated. To further this end, all discoverers of mines or minerals are to be entitled to an equal share with those who own and work them.

Annapolis, Oct. 20, 1737.

(signed.)

Otho Hamilton L: Armstrong

Order for Arrest. [148

To the Deputies of Grand Pré, Piziquid, River Canard, and Cobequid. To Arrest Pierre Subise and Guillaume Norman

1. At end of proclamation: "God Save the King": and above Hamilton's signature "By His Honour's Command by and with the advice of the Council."

for having robbed M. Dolobora of "une Demi Chaloupe & quelques Merchandises d'un grande Valeur."
Annapolis, Nov. 29, 1736.

(signed.)
Otho Hamilton Sec.

"N. B. That there was one of the same tenor and Date sent to the Deputys of Chicanecto."

Order to Repair the Road up the Cape.

In French. Governor informed the roads towards the Cape are in bad condition from the rain, and that the people are careless about mending them. Deputies ordered to set the inhabitants to work on them; all to take an equal share according to their ability and circumstances, or to be fined a pistole apiece.
Annapolis, Nov. 3rd, 1736.

(signed.)

Otho Hamilton Sec.taire L: Armstrong

Order to Appear Before Council. [149

In French. Guillaume Bourgeois and other inhabitants of Chippody have complained to the Governor-in-council that Jean Leger "fils de la Rosette" has taken possession of a field belonging to Pierre Tibadeau, his father-in-law, "sur laquelle les Suppliant avoit meme fait faire de Travail." Governor cannot decide the case without seeing both parties to it. Jean Leger summoned to appear before the end of March next, "pour Repondre à la Requete Incuse."
Annapolis, Oct. 15, 1736.

(signed.)

Otho Hamilton Sec.taire

Order to Joseph and Alexandre Broussard of Chippody to Summon Jean Leger.

In French. As there are no Deputies at C., J. & A. Broussard are requested to summon Jean Leger to appear be-

fore the Governor before the end of March to answer the charge laid against him by Guillaume Bourgeois in a paper, copy of which has been sent to Leger. Wishes them to execute summons before witnesses and report as soon as possible.

Annapolis, Oct. 14, 1736.

(signed.)

Otho Hamilton, Sec.[taire]

Order to Deputies of Chignecto.

Guillaume Bourgeois "Habitant d'icy" has complained to the Governor-in-council that certain inhabitants of Beaubassin, namely Jean Mouton, Pierre Oliver, Charles le Forgeron, and Le Breton has taken lands belonging to him and his partners "comme il pretens prouver par un Contrait de Concession & d'autres papiers." As the Council cannot decide the case without hearing both sides, the Deputies are required to summon these men to appear before the Governor-in-council before the end of March, to answer to the charges of Bourgeois, copy of which is enclosed.

Annapolis, Oct. 16, 1736.

(signed.)

Otho Hamilton Sec.[taire]

Order Appointing James O'Neal Rentgatherer and Notary Public at Chignecto.[1] [*150*

Preamble states that proper persons have been appointed by Philipps and Armstrong "at Menis, the places adjacent & at Annapolis Royal" "to Attend his Majesty's Service in Collecting & Gathering all his Majesty's just rights and Demands in the aforesaid Districts," but that Chignecto is still unprovided. O'Neal hereby appointed "to be Gatherer & Collector of all his Majesty's Land rents, Quit rents, ffines of allienation & all other Debts, Dues or Demands as were wont to be paid in former times to their Seigniors, in the District of Chicanecto & the Places adjacent." He is to keep proper books, give

1. Direction reads "To Mr. James Oneal Inhabitant of Chiconecto, Surgeon."

vouchers and keep three shillings in every pound for himself. All are directed to make their payments to him. As there is no one at Chignecto to perform the duties of tabellion or notary public, O'Neal is appointed to the office "taking such moderate sums for ye trouble as have been Customary in this or in any other of his Majesty's Provinces."

Annapolis, Dec. 15, 1736.

(signed.)

Otho Hamilton, Sec. L: Armstrong

Summons to Certain Inhabitants of Chignecto. [152

In French. The Governor having received their memorial and laid it before the Council, summons the undersigned to appear as soon as possible and make good their allegations against James O'Neal, Notary and Receiver of the King's Rents.

Annapolis, Ap. 29, 1737.

A Messieurs
Jean Sire
Abram Arsinat
Michell Poirier
Jean Kinsy
Jacques Vigneau
Michel Bourgeois
Claude Bourgeois
Charles Hion

(signed.)
Otho Hamilton Sec."

Summons to Petit Jacques Bourgeois.

In French. Ordered by the Governor to appear before him "& d' apporter avec vous tous les contraits qui sont entre vos Mains, afin que Nous puissions les Examiner & distinguer les Bons des Mauvais."

Annapolis, Ap. 29, 1737.

(signed.)
Otho Hamilton, Sec."

Order to the Chignecto Deputies Regarding O'Neal. [*153*

They are to summon the persons named to appear before the Governor. In case of refusal to obey, the Deputies are to state plainly the excuses offered. They are to give all aid to O'Neal in the execution of his office. He has been chosen as a fit and proper person for the post. The only reason the Governor could have for removing him from his office would be malversation, in which case justice will be done.

April, 1737[1]

(unsigned.)

Grant of Land to O'Neal.

James O'Neal notary public of Chignecto has several times made application "for a piece of land lying up the Bay, called La Vallier's Island," and laid petition (dated Dec. 15th) before the Council, praying for a patent. Agreed that patent cannot be made out until the claims of several people who have made improvements on the land have been settled; but in the meantime O'Neal has leave to cut hay upon it. As "the Said Indulgence has not had the desired Effect," and as O'N. has again applied for a grant of it, the Governor-in-council empower him to take possession of 100 acres of land in any part of the island "(Except those lands Where Peter Richard & his Associates have made Improvements)," until a survey can be made, and a regular patent drawn up. Deputies ordered to assist him in taking possession and settling and to prevent anyone molesting him.

Annapolis, May 4, 1737.

(signed.)

L: Armstrong.

Order Regarding a Marsh at Chippody. [*155*

In French. "Ambroise Breux" and his partners have complained to the Governor regarding the conduct of "Joseph

1. Date at top of page, and paper frayed.

Brossard, Alexandre Brossard & Francois Commeau, Habitans de Chipoudy."[1] Latter ordered to do the necessary work upon the marsh owned by both parties in common, along the Chippody river; or to renounce their claims in the marsh. Or else they must appear before the Governor and give reasonable satisfaction to the other parties.

Annapolis, May 16, 1737.

(unsigned.)[2]

Order to Deputies of Piziquid Regarding the Jones Robbery.

On June 18th and 20th Capt. Stephen Jones of the sloop *Friends Adventure* and his crew made oath before the Governor-in-council that about the 2nd instant, as he was peacefully trading in a creek in the river Piziquid "his Vessell was boarded in the night time in an Audacious & Pyratical manner by seven or eight of the most despicable of the Menis Indians," who, after having violently taken possession of the sloop, "cut away the fasts" and forced Jones and the crew to navigate the vessel down to Cape Piziquid and thence to "Chevereaux"? creek, where they plundered the sloop of goods to the value of £1546 N. E. currency, insulting, threatening and putting him in danger of his life. Suspicion strong that this was done with the connivance of the inhabitants, "as I am Credibly Informed the said Villains are at this Inst. living & Trading amongst you in a friendly manner." Deputies ordered to assemble the Indians and cause them to make restitution; and also the inhabitants, and inform them that such as have bought or received any part of Jones's effects and do not restore them or make them good shall be prosecuted as pirates, as the law directs. Estates of the Deputies both real and personal "will be lyable to make good the Losses." Having done this, Deputies are ordered to appear before Governor-in-council and make report before the last day of July.

Annapolis, June 21, 1737.

(unsigned.)

Translation of foregoing into French follows [157 f]

1. Taken from the address.
2. "Par Ordre de Son Houneur" before the ending.

Order to Deputies of Piziquid. [*159*

In French. "Charles Dueron & René Guilliot" or their attorneys are ordered to appear before the Governor-in-council that an end may be put to their differences, on Nov. 1st, or on a date set by their attorneys. Deputies to summon them. The party which does not appear will lose the case, which will never be re-opened.
Annapolis, July 4, 1737.

(signed.)
Otho Hamilton, Sec.[taire]

P. S. "Faites que Rene Guilliot Rembourse Charles Dueron on ses Procureurs un Moitié de fraiz de Proces."

Order to Francis Tillard.

Governor informed that "you ffrancis Tillar" have lately sold a tract of land lying in the "River Chicobenakedy" to Joseph Mors, Mariner, which land belongs to the King. Tillard ordered to appear in person at Annapolis before the Governor-in-council on the return of Mors, and explain why he presumed to sell any crown land. Refusal to comply will incur prosecution.
Annapolis, Sept. 26, 1737.

(signed.)
L. Armstrong.

Order Deposing a Rent-Gatherer. [*160*

Alex. Bourg has been very neglectful and careless in the discharge of his duty as rent-gatherer at Minas, particularly in rendering his accounts. Governor-in-council have therefore thought proper to remove him and appoint Mr. Francis Mangeant in his place. Bourg ordered to hand over to Mangeant "all such deeds, Sales, Contracts, Bargains, Articles of Agreement, Registers, Books of Records, Grants, Donations & Books of Accounts & all such other Instrum[ts] & papers that anyways relate to the former Seigniors, the Inhabitants or to this his Majesty's said Province which you have in your

Custody or that are Lodged in your Office." Ordered to account at once to Mangeant for all moneys received and to pay them over to him.

Annapolis, Dec. 28, 1737.

(signed.)

L Armstrong.

Translation of foregoing into French [161]

Order to Maufils, Constable, to Assist Mangeant in Gathering the Rents at Minas. [162

Preamble states that Bourg has been deprived of his office as gatherer of rents, and Mangeant appointed in his stead. Maufils ordered to assist Mangeant in the lawful execution of his office, and as the case may require, to command in the King's name, H. M. subjects in these parts to give assistance for the preservation of the peace and the promotion of H. M. service.

Annapolis, Dec. 28, 1737.

(signed.)

L Armstrong

"N. B: The French translat^n of this Order being Ommitted here to be Inserted is in Page 166."

Order Appointing Mangeant Gatherer of Rents.

Preamble rehearses Philipps's appointment of Bourg to be collector of the King's rents at Minas in 1730, and B.'s unsatisfactory performance of his duties. Governor-in-council appoint Mangeant in his place, who is to receive three shillings in the pound for his care and trouble in collecting the rents, fines, &c. and also the arrearages. M. is ordered to keep a rent-roll and proper books, and to give receipts; and not to deliver any part of the funds to the person to whom he is to account, without taking a receipt. He is "to take particular Notice of all Sales and Exchanges made or may be made by whom and to whom Alienated & transferred.

Mentioning the name of the Place where such lands are Situated and the Value of the Same whether sold or Exchanged and to prevent all frauds by Clandestine Deeds of Conveyances none are to be allowed Valid or of any force hereafter, but such as are passed before the Secretary of this Province or your Self" or some other properly authorized persons; "and all such Sales, Deeds of Conveyances, Mortgages and Agreements of Exchange are also to be duely notifyed to the SECRETARY that the same may be" registered; "upon the penalty mentioned in their Respective Contracts & to be ever Regarded and esteemed as Null, Void & of no force. . . . YOU ARE ALSO, to take a Particular Account of all strangers that may come into these parts of this province & of the place from whence they came the time they intend to stay & the Business which brought them here. And also of the last wills & Testaments of Deceased Persons, that the same may be proved & kept upon Record here that the Will of the Testator may be at all times duely Complyed with;" M. is also to report to the Governor or Commander-in-chief whenever necessary and also to the Secretary or any other person duly authorized.

Annapolis, Dec. 28, 1737.

(signed.)

L Armstrong

French translation of foregoing follows [164-166]

French translation of order to Maufils [162] follows [166 f.]

Order to Repair Highways to Deputies of Annapolis. [167

Preamble refers to previous orders dated May 14, 1730 Aug. 7, 1732, Oct. 29, 1734, Ap. 24, 1735, and Nov. 3, 1736 for repairing the King's highway neglected or evaded. Several complaints have been lodged regarding the state of the roads. "All & singular the said Inhabitants" are strictly commanded to put the aforesaid orders into execution, as soon as the season permits, and to keep the roads up annually: on penalty of 20 sh. per head. To make this effective, the deputies "of

each Cantoon or District" are to summon the people to work, and report those who refuse to obey, to the Governor, on penalty to the Deputy of 40 sh. per person not reported. Besides, the Deputies are to inspect the roads at least twice or thrice a year; and, to prevent the multiplication of orders, they are to repeat the same annually to the incoming Deputies. on penalty of another 40 sh. fine.

Annapolis, Jan. 28, 1737-8.

(signed.)

L. Armstrong

French translation of foregoing follows [168 f.]

Order to Bourg Regarding Mangeant. [*169*

Francis Mangeant has been ordered to assist Bourg in making up the accounts of the King's rents. If they cannot agree, B. is to render an account to be "transmitted home in manner as Required," before May 1st next.

Annapolis, March 2, 1737/8.

(signed.)

L. Armstrong

Proclamation for Settling Sable Island. [*170*

WHEREAS the Reverend Andrew le Mercier, Minister of the ffrench Church of Boston, New England, hath applyed to "the Governor-in-council on March 6th last, in behalf of himself and associates, "setting forth what great Advantage it would be to the Publick in General and particularly to His Majesty's Unfortunate Subjects and to all others who may at any time prove so unlucky as to Suffer Shipwreck near to Or upon the Island of Sables, was that Island well settled with proper Inhab^ts; and Stock'd and furnished with Cattle of all Sorts"; and as le Mercier and associates have already sent hither "with these good Intentions" "Horn Cattle, Swine, Sheep and so forth, In Order to Succour, Help and Releive," such as may be shipwrecked there; therefore all subjects within the province are forbidden to harm, molest or interfere in any way

with A. le Mercier and his associates in settling and stocking the island.[1]

Annapolis, Ap. 10, 1738.

(signed.)

Wm Shirreff Sec.ry L Armstrong.

Order to Mangeant Regarding Deserters. [171

Several desertions from the garrison at Annapolis have occurred, which were not possible, in the Governor's opinion, except by the help and connivance of the inhabitants. He sends Mangeant an extract from the Act on Desertions "to be duly published at the Mass house Door three Sundays successively immediately before or after Mass," so that no one may henceforth pretend ignorance of the law. The Act is as much in force here as in Great Britain, or in any other of his Majesty's "Provinces and Dominions." Further, unregistered holders of land who will not show their deeds, &c., to M., Whereby defrauding the King of his dues; and also those who have mills and have not paid rent for them, as well as those who "have since built mills without Permission," are to be summoned to appear before the Governor, or the name of two or three of the chief delinquents to be sent to the Governor at Annapolis, whence he will summon them himself. Those who claim land or mills without any papers to show are also to be cited; "fail not as you will Answer to the Contrary."

Annapolis, May 3, 1738.

(signed.)

L Armstrong.

French translation of foregoing [173 f.]

Order to Bourg Regarding Mangeant's Grant. [174

At the request of Francis Mangeant, the minute of Council of the 2nd inst. is recommended to Bourg's care. To perform it, he is to take with him the Deputies and all who may be interested, draw a plan of the land and deliver it to Mangeant

1. See *Trans. Royal Society of Canada*, 1891, p. 11 & 1897, p. 134.

with proper certificates, in order that the same may be considered by the Council. In case of claims to this land, the Isle de Bout, B. is to summon the parties to appear here to show cause &c., at the time appointed in the minute.

Annapolis, May 5, 1738.

(signed.)

L. Armstrong

French translati on of foregoing [175]

Order to Bourg & Mangeant to Visit Chippody. [*176*

Several persons who merely got leave to visit and mark out lands "laying about Chippody, Memramcoup and Petitcoutiak" and report on them, have taken possession of and improved large portions of the crown lands, disobeyed repeated orders and defied the Government, to the prejudice of one another and causing "great Confusion and Disorder amongst the inhabitants." B. and M. are ordered to visit these districts "to take an Account of all the Inhab.ts of those parts, their Settlements, to Examine their pretentions the Quantity of land they have as in manner aforesaid Posessed themselves of, their Buttings and Boundaries and how they are Situated in Respect to One Another." Then they are to cite said inhabitants to appear before the Governor on or before July 25 next to make good their claims, &c. They are also to make a faithful report of all "your Remarks and Proceedings."

Annapolis, May 5, 1738.

(signed.)

L. Armstrong

French translation of foregoing [177 f.]

Order Regarding Dykes and Unruly Cattle. [*178*

Preamble notes disregard of previous orders of Ap. 17, 1735 and March 15, 1735/6. Complaints have since been made that unruly cattle have not been secured but still damage gardens crops in other inclosures.[1] Copy of previous

1. "tant que les Biens de leurs Jardins et d'Autre Enclossont Journalier par telle Nonchalance, Ruinés." French trans.

orders subjoined. All are commanded to obey them on penalties mentioned therein. In case sellers fail to acquaint buyers of the unruly nature of such beasts, the sellers shall be liable to all the penalties in the orders recited.

Annapolis, May 17, 1738

(signed.)

L. Armstrong

French translation of foregoing [179 f.]

Order to Arrest Tillar. [*180*

Directed[1] to Mangeant, "Rentgatherer," Deputies, and Constable at Minas. Preamble notes disregard by Francois Tillar of previous order of Council sent to him by "Mr. Joseph Mors." Therefore he is to be apprehended and sent to A. "Either by the said Joseph Mors, The Constable, Or under the Care of any other proper persons whom you may think proper to Appoint."

Annapolis, May 17, 1738

(signed.)

L. Armstrong

Order to Arrest O'Neal.[2] [*181*

To the Deputies of Minas. Since James O'Neal has by his conduct given occasion for several complaints, and has taken away with him Charles Roy[3] and Jean Tourcatte, servants of Captain Heron (?), the Deputies are hereby ordered to arrest all three and send them under a sufficient guard to A. In case Captain Donnell is in port, they are to be put on board his vessel with a guard of *habitans* from Chignecto.

Annapolis, July 11, 1738.

(signed.)

L. Armstrong

1. Marginal note: "N. B. That a Copy of ye former Order ye 26th Sept. 1737, p. 159 & 160 was Prefixt and sent with this for the said Tillar by Captn Mors.

2. In French.

3. Apparently an Englishman, by the name of King: See [183]

Order to Arrest O'Neal.[1] [*181*

To the Deputies of Chignecto. Charges not detailed as above: but the complaints as to his conduct, are the reason for his arrest. Deputies specially warned not to allow O'N. to carry off any of his property, cattle, &c.

Annapolis, July 11, 1738.

(signed.)
L. Armstrong.

Summons in Trespass Case. [*182*

Summons to Réné Granger, Olivier D'Aigre, Claude Commeaux, Francois Landry, *et al.* Antoine LeBlans complains of a bridge which they have built and of daily trespasses upon his property. They are therefore summoned to appear at A. before the Governor-in-council, on or before the 28th of Nov., to show cause why they do not remove the bridge, &c. In case of non-appearance, the case will go by default.

(signed.)
Wm Shirreff Sec.^y^

French translation of foregoing [182 f.]

Order to Arrest King [*183*

To the Deputies and *habitans* of Piziquid. As Charles King, *alias* Roy, "fraudulently ffled from his Bail and Basely Deserted the Service of Mr. William Winniett," the Deputies are ordered to arrest and bring him to A. to show cause, &c.

(signed.)
L. Armstrong.

French translation of foregoing [184]

Order to Arrest Peter Sire and O'Neal [*184*

"Whereas I have been Informed by Messrs William Winniett & Peter Bergeau of a Base and Villainous Attempt made upon the said M^r^. Bergeau in his own house between 10 & 11 o'Clock at Night by Peter Sire Junior in Conjunction with James O'Neal and as the Sudden & Unexpected Escape

1 In French.

of the said James Oneal from Justice, in a great measure supports the truth of the Allegations laid against him," (Deputies of Chignecto are ordered to apprehend Sire and O'Neal Conformable to my Order of the 11th Instant."

Annapolis, July 15, 1738.

(signed.)

L. Armstrong

Order to Peter Bergeau.[1] [185

By the Governor's wish, B., who is going to Chignecto, is to take charge of "these Acco^ts," and compare them with O'Neal's receipts given to the *habitans.*

(signed.)

Wm Shirreff Sec.^ry

Order in Regard to Land.

To Charles Boudrot, John Hebert, Peter Landry Senr and Peter Giroard, of Piziquid. John Duon, attorney for Claude Brossard, has petitioned the Governor-in-council on the latter's behalf. The arbitrators (named above) appointed to decide the difference between him (Brossard) and Stephen Rivett, have not measured the land in dispute, owing to Charles Babin's refusal to permit it. Authority given to measure Babin's land and all other, as may be necessary to finish the dispute. Arbitrators to proceed and report to the Gov. "Conformable to the minute of Council, Dated 17th August, 1736."

Annapolis, Jul. 28. 1838.

(signed.)

L. Armstrong

French translation of foregoing follows [186]

Order to Habitans of Chignecto Regarding O'Neal. [186

Their disputes and animosities and frequent complaints particularly against James O'Neal have given the Govt. great trouble. There may be faults on both sides. It is plain that most of them have transgressed in regard to the payment of the King's quit rents and other dues. "I cannot ommitt thus

1. Writing dim: paper water stained and decayed.

Reprimanding you for Such Disobedience and Insolence, And also for your Daring to take up and to possess yourself of lands without the Advice or Previous Consent either Asked for or granted by this his Majesty's Government particularly Abram Arsinoe, his sons and their Associates for presuming in Contempt of Minutes of Council to Disturb the said James Oneil in the possession of that land on LaValliers Island which was thereby provisionally Granted him, without first Showing Cause for their so Doing by making out their right and pretentions thereunto before me and his Majesty's Council." Abram Arsinoe *et al.* have complained by petition in 1738 against O'Neal and "Refused and Contemptuously Disobeyed three Several orders and Summons to appear here before me and his Majesty's Council to make good their Allegations against him." This non-compliance shows not only contempt but that the complaints were largely groundless. Therefore, in accordance with the Minutes-of-Council, dated Dec. 15, 1736, May 5, 1737, and May 4, 1736, James O'Neal is confirmed in the possession and profits of said land until Abram Arsinoe *et al.*, "who have thus Disturbed and Impeded him from Engaging the Same, shall make good their Right thereunto by any Previous lawfull Grant thereof." They are also strictly forbidden to hinder O'Neal in possession. As O'N. has obeyed the order issued against on the 15th inst., he is not to be molested in the lawful carrying out of his affairs.

Annapolis, July 27, 1738.

(signed.)

L. Armstrong.

French translation of foregoing follows [188 f.]

Order to Captain Mitford Regarding a Court-Martial. [190

Major Alexander Cosby of Phillips's Regt. of Foot, has represented to the General Court-martial, held here for the trial of Capt. Patrick Heron of the same regt., "that the said Captain Patrick Heron had given notes for, and had Refused to pay Several of his men's Subsistance and Others who had

wrought for him," and as H. has made counter-charges against C., Mitford is hereby authorized to hold a regimental court-martial of all officers under his command, of which he is to be president, "to Examine and Enquire into the truth of these said Complaints on both Sides," and to report thereon to Brig.-Gen. Phillips and to Armstrong "by the first Opportunity," and to give copies of the report to both parties, if required.

Annapolis, Ap. 13, 1739.

(signed.)

L. Armstrong.

Warrant for Arrest of Indented Servant. [192

Whereas Lewis Francis Gay, indented servant of Wm. Green, shoemaker, has run away and deserted his service, this, directed to F. Mangeant, rent-gatherer at Minas, the constable and Deputies of the districts adjacent, shall be warrant for his apprehension.

Annapolis, Ap. 24, 1739.

(signed.)

L. Armstrong.

Order to Bergeau.

B. has advised A. in his letter of Ap. 24th last, that he had collected several of H. M. rents due at Chignecto. As Mangeant is bound to those parts, B. is directed to deliver said rents to him, taking proper receipt.

Annapolis, May 2, 1739.

(signed.)

L. Armstrong.

French translation of foregoing follows [192]

Warrant to Survey Land. [192

To John Terriot of Minas, Peter Dueron and the other Deputies of Chignecto. Hereby authorized to make a plan of lands petitioned for by several of the inhabitants of Chignecto; which is to be sent to A. on or before the last

Tuesday in July next, by one or more of the said petitioners. For so doing, and for taking such persons as you may think proper for your aid, this shall be your warrant.

Annapolis, May 2, 1739.

(signed.)

L. Armstrong.

French translation of foregoing follows [193]

Order to Deputies of Chignecto. [*193*

"Whereas M.r Oneal hath by Letter bearing Date the 4th Nov., 1738, Which being Read in Council Yesterday Complained of his Room being forced Open, his wife being Beat, the Keys of his Chest being taken from her and his papers, Amongst Which were Contracts and promissory Notes," as appears more fully in the Minute-of-Council of that date; the Deputies of Chignecto are directed to inquire into the matter and report to A., as said Minute requires.

(signed.)

Annapolis, May 2, 1739. L. Armstrong.

Order to Bergeau. [*194*

Whereas H. M. has several quit-rents to be received at Chignecto and neighborhood, as B. has "(Conformable to my former Order) sent me a State thereof," B. is authorized and empowered to receive the same and to give his receipt as a sufficient discharge. B. is to send account and to forward the rents from time to time.

Annapolis, May, 1739. (signed.)

L. Armstrong.

Order to Ensign John Slater. [*195*

Whereas Mangeant, receiver of H. M. rents at Minas, has informed A. that several of the inhabitants "have refused to pay the Said Rents," and that M. is not able to receive the same or compel payment, for want of proper assistance, Ensign John Slater (who is also a member of H. M. Council)

is to proceed with a sergeant, corporal and eight private men to Minas; "And there with Secretary of the Province to Inspect into the Behaviour and Conduct of these People of which you are to Inform your selves as exactly as possible and to make Report thereof to me if Occasion requires, that I may in Case of necessity send you further Directions."

Annapolis, May 21, 1739.

(signed.)
L. Armstrong.

Instructions to Shirreff. [*196*

Whereas Mangeant has sent word that several of the *habitans* of Minas have refused to pay their quit-rents, and Ensign Slater has been ordered to make inquiry into the cause why these people "do thus Disrepectfully behave themselves," S. is likewise ordered and directed "from the knowledge you must have of their Affairs as Secretary and as One of the Council" to repair with him to M., that they may "Jointly Enquire into the truth and Cause of the Said Complaint and Information sent me, as Strictly as possible and Diligently by your good Advice to persuade those people to a more Becoming and Respectfull behaviour." For so doing this shall be your warrant.

Annapolis, May 5, 1738.

(signed.)
L. Armstrong

Warrant to Inquire into the Debts &c. of Timothy Macqueen, Deceased.

Directed to W. Skene, W. Shirreff and J. Slater, members of H. M. Council. "*Whereas* Timothy Macqueen, late Partner and in Company with John Southack hath Died Intestate & reputed Insolvent and whereas several of the said Deceased's and his Partner Creditors have petitioned me and his Majesty's Council for said Province [197] to Issue out Warrants for" [attaching, probably the word: paper gone] "Effects Debts and other Dues to the said Macqueen and

Southack whether in partnership or Otherwise belonging within this Province towards paying their just Debts Knowing of no Other ffund elsewhere for Discharging of the same Seeing that Messrs Howman and Emmerson of Boston, Merchants, have Attached there a Sloop and Cargoe belonging to the said Deceased and Partner," Skene, Shirreff and Slater are appointed (according to Minute-of-Council of the 13th inst) to act as commissioners upon the estate of both or either Macqueen and partner. "And I do hereby appoint and authorize you to" "send for any person or persons and them for your better and more Certain Information to Examine upon Oath, to demand Books Papers Acco^ts and other Writeings to take Inventorys of the said Effects and Debts, To Attach, Secure and Receive the Same and to Cause, Authorize and Employ Such other person or persons as you may think proper to Attach Secure, and Receive the Same wherever they may be found within this said Province, And to Prohibit all persons whatsoever who have any Effects or Owe any Debts to the Deceased and Company, from paying the same to them their Heirs or Assigns upon any Account Whatsoever, till farther orders, And farther to call to an Acco^t, Every Person or Persons who may have any of said Effects in possession or are Indebted to the Joint Stock in Company or to either of them in Particular And Moreover to receive the Claims of such Creditors as may be made On or before the first Tuesday in March next And to make a true State and Estimate of the whole, that the same may be laid before me and his Majesty's Council for the end & Purposes aforesaid. And for Your and their so doing this shall be your Warrant."

Annapolis, June 18, 1739.

(signed.)

L: Armstrong.

Advertisement Regarding Foregoing Warrant. [198

Timothy Macqueen, partner of John Southack, having died intestate and reputed insolvent, creditors have applied for attachments against the firm. Therefore Wm. Skene, Wm. Shirreff and Jn. Slater have been appointed "Commission-

ers to Act upon the Estate of the Deceased." Creditors of the firm are to bring their books, accounts and papers to the Commissioners on or before the first Tuesday of March next: all persons indebted to the firm or with the effects of the firm in their possession are forbidden to pay the same until further orders: they are further to give information to the Commissioners with all expedition as to what extent they are indebted to the firm.

Annapolis, June 21, 1739.

(signed.

L. Armstrong.

Order to Habitans of Memeramcoup. [*199*

Addressed to Jn. Hébert, Peter Sire, Jr., Joseph Sire, and Honoré Sire at Memorancoup, in this prov' of Nova Scotia. William Blanchard, Michel Richard, J .d Godet, Peter Godet, John Simon le Blanc, William Girouard, Charles Girouard, Charles Girouard, Jr., Honoré Blanchard, Peter Depuis and Francis Girouard of Annapolis Royal have in petition represented that land which they have improved at Memoramcoup have been siezed by "the afforesaids" without permission and contrary to repeated orders. Therefore they are summoned to appear "on or before some time in Octob' next to shew Cause for your So doing."

Annapolis, July 31st, 1739.

(signed.)

Wm. Shirreff Sec.

Order to the Arsinoes in regard to O'Neal. [*200*

Directed to Abram Arsinoe, his sons and associates at Chignecto. Whereas James O'Neal of said place has again complained not only of their taking the land granted to him on La Valiere's Island but also of burning his brush and other stuff which he had laid there for the dyking and inclosing of said land, they are therefore directed to pay O'Neal "forty

Livers" to make good the damage, or appear here on or before Nov. 27 to show cause, &c. "By his Honours Command by & with the Advice of the Council."

Annapolis, Aug. 1., 1739.

(unsigned.)

Order to Pay.

To Peter Sire, Senr. Directed by the Governor "to Order you to pay to Mr. William Winnett or Order" £30, 13s. balance of account due to him. If he does not pay, he is ordered to appear before the Governor-in-Council to show cause, &c.

Annapolis, Sept. 8., 1739.

(signed.)

Wm. Shirreff Sec.

Announcement of Governor's Death. [*201*

To the Deputies of the River of Annapolis Royal. Whereas by the death of Gov. Armstrong, the civil government devolves upon Adams as President of the Council, Deputies are ordered to appear at a meeting of H. M. Council to be held on Monday, 17th inst. "at the President's house in the lower Town of Annapolis Royall, As you will Answer the Contrary."

Annapolis, Dec. 15, 1739.

(signed.)

Jn° Adams.

"N B, that One of the same tenor dated the 13th Janry" 1739/40 was sent to the Deputys of the Sev.[1] Districts up the Bay. Except the Day Appointed Which was Discretionary as the time might permit."

Order to Mangeant to Settle.

As the Lieut. Gov. is dead,[2] and as the government of the province has devolved upon the President of the Council,

1. In French. 2. "D'autant que le feu Lieutenant Gouvernor et Commandant en Chef de Cette Province est Mort."

John Adams, Esq., M. is ordered to render his accounts[1] before H. M. Council, as soon as possible.

Annapolis, Jan., 1739/40 Wm. Shirreff Sec.[y]

"N: B That One of the same tenor and date was Sent to M[r] Bergeau and Another to M[r] Oneil At Chiconectou as also to the Rent Gatherers of the River of Annapolis Roy[l]"

Order for Attachment. [202

To John Hanfield and Edward Amhurst, Esquires, executors of the late Gov. Armstrong's will. "Whereas the said Lawrence Armstrong, Deceased, did in his life time for several years past Demand & Receive of and from his Majesty's Subjects Resideing in this Province the Seignoriall Rents & Other Dues belonging and Appartaining to his Majesty George the Second of Great Brittain, ffrance and Ireland, King, &c, And as he has never Rendered any Account nor made any Remittances thereof to the Right Hon.[ble] Horatio Walpole Esq[r] the person Appointed by his Majesty to Receive his Rents in America, nor never Communicated the Statement & Amount of Said Rents to his Majesty's Council nor to the Secretary of the Province; it has therefore been Judged proper by his Majesty's Council to Attach the said Deceased's Estate and Effects in this Province, to Answer for the Amount and Value of the Rents he has Received as aforesaid.

"I do therefore (Conformable to the Minute of Council of the 14th Instant of which the Annexed is a true Copy) hereby for and on Account of his Majesty and in his name ATTACH the same in your hands & Possession for the Space of Eighteen months for the answering and paying to his Majesty the said Rents &c. Or till his Royall pleasure is thereon known.

"WHEREFORE you are hereby Required to Keep & Secure in your hands and possession (for the use & purpose afores.[d]) that part of said Estate and Effects or the Value thereof that shall or may Remain after the funeral Charges and Quarters are

1. "avec le Compte des Rentes, Lots et Ventes que Vous Auriez recû"

Cleared and paid off till the said Eighteen months from the date hereof are fully Expired, or his Majesty's pleasure be thereon known as aforesaid, fail not as you will Answer the Contrary."

Annapolis, Jan. 19, 1739\40

(signed.)

John Adams.

Then follows a second copy of the proclamation on p. 201 and below the signature "John Adams," with this memo in Shirreff's handwriting: "N. B. That Notice of this Order being already taken in fo: 201 it is here Incerted through inadvertancy."

Mascarene's Proclamation. [*204*

As the Governor is absent and the Lieut.-Gov. dead, the government, civil and military, has devolved "on me as Eldest Councellor & President for the time being of his Majesty's Councill for this province I have thought fitt By and With the Advice of the said Council to order that The Regulations made for the Administration of Justice & the Several Justices and Other Officers Appointed for that End shall Continue in the same manner as they were Established until further Order."

Annapolis, March 24, 1739\40

(signed.)

P: Mascarene

"God Save The King."

French translation of foregoing follows [204, f.]

Passport for St. Poncy. [*205*

"WHEREAS the Bearer hereof Mr St. Poncy a Missionary Priest of the Church of Rome has for some time past Resided in this place and is now on his Return to the Dominions of France where he Belongs," all officers, civil and military, are

to allow him a free passage "Without any Lett or Molestation." Passport to be valid for three months from date.

Annapolis, Ap. 23, 1740.

(signed.)

P. Mascarene

Order for Running a Dividing Line. [*206*

H. M. Council, having examined the difference between Alexander and William Trahan, of Minas, in regard to the dividing line between their properties, and having heard the evidence and passed Judgment, this is to empower W. Winnett Esq., Capt. Peter Blin and Capt. Nath.[1] Donnel "Jointly Or Either of Them to Draw the said Line which is to Run South South West, Beginning from a Station Called L'Estang at the place where formerly a Vessel Stood, and to Assist them wherein The Gentlemen Above Named or Either of them as Aforesaid are to make Choice of Some of the Ancientest Best Knowing and Least Interested Inhabitants of Minas Amongst Whom some of these who were Employ'd in the Drawing of the Line According to the First Agreement Between the Partys are If possible to be Chosen and to state the said Line after it is fairly Taken with a True and well Approv'd Compass with such marks as may be well known to Both the Partys unto which the said Partys are to Abide under the Penalty of Paying the Sum of" £100 or 1200 livres "By Either of them who shall Presume to Transgress this Sentance."

Annapolis, May 7, 1740.

(signed.)

P. Mascarene

Postscript.[1] Alexander and William Trahan are further recommended to make a fair and friendly division of the land enclosed and open, meadow, upland, and wood, following the line mentioned in the preceding order, as far as Jean le Blanc's: in order to avoid further disputes and law-suits. And he who by his obstinacy shall bring about a new suit

1. In French.

may expect to pay all costs, as both parties had desired the Council to give judgment, since its last sentence, in regard to the undivided property.

Annapolis, May 8, 1740.

(signed.)

P: Mascarene

Proclamation in Regard to Crown Lands. [207

Preamble rehearses that *habitans* of Annapolis, Minas, Chignecto and other settlements "have presumed to mark out," Crown lands, "Especially at Chipody and the Rivers Adjacent and Other places and have Diked, fenc'd and Otherways Improv'd them & Some have Settled themselves and families thereon Without Any Lawfull title and Contrary to the Repeated Orders of this Government." All those who have thus "Shewed their Contempt as well as to prevent Others falling into the same fault" are notified that if there is ever a new division of land, those who have obeyed orders will be entitled to favour and "those who have Shew'd their Contempt and Disobedience shall be Debarr'd from it and may Expect such further marks of Displeasure as they Deserve."

Annapolis, May 12, 1740.

(signed.)

P Mascarene

Order for Road-making. [208

Addressed to Peter Blanchard, the Deputy for Bellisle. Upon the report of John Eason and John Hargrave "Chosen by the parties in Dispute to Survey the road Leading to Bellisle" that the old road going through Réné Barnaby's marsh was impracticable and that the new road planned ("projected") along the edge of the wood could be made good and maintained with little expense and labour, the Council gave it as their opinion that the latter should be made good for the use of the public and maintained accordingly. This empowers B.

to order the inhabitants of his district to give their assistance in this affair "as has been Practiced in such Like Cases": each and all to obey.

(signed.)

Annapolis, May 12, 1740. P. Mascarene.

Notice of Declaration of War. [209

In French. Notifies the Indians and inhabitants of this province of Nova Scotia that the King of England has declared war with the King of Spain, and at present we have no war with any other nation.

(signed.)

Annapolis, May 15, 1740. P. Mascarene.

Order to Pay.

Preamble refers to two Minutes of Council having been laid before the Governor. Petitioner has again complained that James Giroard has positively refused to pay her what was therein ordered, she having by the accidents of fire lost a former copy. Minutes hereby confirmed in Council and Giroard is ordered to comply with the said sentence as he will answer at his peril.

(signed.)

Annapolis, May 27, 1740. P. Mascarene.

Commission to Bourg as Notary.

Preamble rehearses the particulars of Philipps's appointment of A. Bourg as Procurator at Minas and of Armstrong's appointment of Mangeant in his place. All which being considered, and finding that, notwithstanding all care and precautions hitherto taken for the preservation of H. M. interest, the inhabitants, contrary to the tenor of the grants by which they hold their lands, daily impair and encroach thereupon, by passing deeds of sale and exchange of their land; it has been judged proper to re-establish Bourg as Notary "at The Grand

Pré and the places adjacent within the Gut of Mines and to Enjoin him as he is Willing to Accept of that Employ Strictly to Comply With the following Orders," and all others that may be sent to him. Bourg is therefore re-established, constituted and authorized to act as Notary according to his oath. He is to obey the following orders:

"1. You are Therefore to Keep an Exact Register of all Deeds of Sale and Exchange of Lands made by you amongst the Inhabitants of your Above Mentioned District for Which you are to Receive the Accustom'd fees from the Said Inhabitants making Such Deeds With the Necessary Addition for your trouble [paper rotted: several words illegible] to the Secretary's Office in this place.

"2. You are at the Passing of Every Deed of Sale and Exchange Immediate'y to Receive the fines of Alienation Thereby Due to His Majesty or If the Case Require Upon the Non payment thereof to take Sufficient Security That His Majesty's Interest may not Suffer as heretofore Out of which Sum by You Received and for Which you are to be Accountable you are to be Allowed three Shillings for every Pound.

"3. You are to Keep an Exact and Regular Account of all Such fines of Alienation and Other Dues Thereby Accruing to his Majesty and by you Received (from which fines none are to be Exempted for any cause of Kindred or any Other) and to give Information thereof to me or to the Commander in Cheif of This province for the time being and to the Sec.^{ys} Office that the same may be as the Case may Require at any time Laid Before the Council as also to the Person or Persons that is or may Be Appointed Receiver of His Majestys Rents that he may Incert it in his Generall Accounts and to pay the same as you may be Hereafter Directed for which a Receipt from the Person or Persons to Whom paid shall be your Discharge.

"4. You are to transmit Extracts or Minutes of all Contracts Passed by you to the Sec.^{rs} office & to make Particular mention in the Deeds of Sale, &c., of the Place Where said Lands which may be Sold or Exchanged are

Scituated & By Whom they are Sold or Exchanged and of the Contents of all Other Writings or Contracts.

"5. And to prevent all frauds By Clandestine Deeds of Conveyance you are to Observe and make Publickly Known that none are to be allowed Valid or Of any force But Such as are passed Before the Sec.y or Your Self as Notary or Some Other person or Persons that may be at any time Authorized and Appointed to Act and take Cognizance of These or Such as these Affairs.

"6. You are also to transmitt Extracts or minutes of all Mortgages & the Last wills and testaments of Deceased Persons that The Same may be prov'd and Kept upon Record here that the Will of The Testator may be Comply'd With and Whereas many Differences and Great Disputes have Happened in Several familys In Regard to the Division of Their Estates. And Whereas it is Customary amongst the Inhabitants to make Contracts of marriage and Other Settlements as also for the Parents to Divide and Distribute their Lands and Effects amongst their Children Or Otherways to Dispose thereof by Instruments in Writing In Order therefore [top of page, paper rotted, several words missing] Differences and Disputes or at Least That the Same may be with more Ease Regulated and Adjusted you are also Directed to Send Coppys or faithful Extracts of all Such acts to the Sec.ys Office to be there Keept upon Record or upon file as the Case may Require.

"7. You are to take a Particular Account of all Strangers that may Come into these Parts of the Province from Whence They Came the time They Intend to Stay and the Business Which Brought Them there and to Give Advice thereof as Soon as Opportunity may Permitt. You are to keep amongst your Registers all Orders that Shall be Addressed to you or Messieurs the Deputys et to transmitt Copys thereof as the Case Shall Require Attested under your hand to the Different Districts of Minas as far as Cobequid."

This to be B.'s warrant and to remain in force until further orders.

Annapolis, May 7, 1740.

P: Mascarene.

Order to Give Possession.[1] [*302*

Preamble rehearses case of Stephen Rivett and his children *vs.* Claude Brossard, all of Piziquid. Brossard bought land from Cécile Rivett, sister of Stephen R., being her share of her father's estate. Case heard before Governor-in-Council, Aug. 7, 1736. Both sides agreed to submit to the judgment of arbitrators chosen by themselves; and entered into a bond to that effect "under the pain of one Thousand Livers Tournois" to be paid by the party not agreeing to the party observing, as appears by the act of arbitration, dated Oct. 9, 1736. Whereas Rivett has not complied with the judgment of the arbitrators, notwithstanding the sentence of the Gov.-in-Council, March 7, 1738/9, "But Obstinately and Very Unjustly Keeps the said Brossard out of possession of Said Lands By him Purchased as Aforesaid as Appears by the said Arbitrators Report bearing the Date the 31st of October, 1738." These authorize "you," the Deputies of Piziquid, to put Brossard in possession of said lands immediately or at most within ten days from the time they receive this order. They are also to use their utmost endeavors to make Rivett pay costs to Brossard; "the said Dispute Occasioned by The Contempt of The Said Rivett as it Appears by the Report of The Arbitrators and Their Act of Submission." In case Rivett submits to the orders of the Govt. and he has any cause to bring forward, other than what has been already considered and decided on, he may produce them according to the letter sent herewith, after submitting to the present orders.[2]

Annapolis, May 27, 1740.

Order to Deputies to Inquire. [*303*

Dispute exists between Claude Thibadeau and the widow of Michael Thibadeau of Round Meadow, regarding a piece of fence (?) which has been used by the said C. T.

1. Note. After f. 209, the numbers run 300, 301, &c.
2. Lacks Mascarene's signature, but is countersigned by Shirreff. The four orders following are in French.

In order that the parties may come an agreement, or that the matter may be settled by law, Pierre Blanchard, Charles Martin and Francis Amiran, the three Deputies who live nearest, are named arbitrators to go to said place in dispute at Round Meadow some day this week, and look into the agreement made by these two parties by arbitration, by which this piece of fence is to be made [paper decayed: words missing], which must pay the costs of it, and what part of the fence each of the parties must keep up, in proportion to his division of the land. To make a faithful report of the matter, in case the parties do not agree.

Annapolis, June 2, 1740.

(signed.)
Wm. Shirreff, Sec.[7]

NOTE. I am not sure that I have read this correctly: the phrases "Couchure dont un morceau" and "ce moreau de Bouchure" seem to refer to the same thing: but the dictionaries do not notice either "couchure" or "bouchure." A friend informs me that "bouchure" is in use among the Acadian French of Nova Scotia in the sense of "fence."—[ED.]

Order for Repairing Road. [*304*

To the Deputies of the Annapolis River. Weather favorable for repairing the road which runs from the Cape to the shore ("Grave"). Deputies are to assign without delay, to every *habitan* what he is to contribute to the work. It is a public highway used by everybody. Everyone must, according to custom, contribute in proportion, material, labor or carriage, or else a payment. Deputies to undertake this, and render an account, that all may be satisfied.

Annapolis, June 4, 1740.

(signed.)
P: Mascarene.

Order to Return Arms.

Several muskets have been lent to the *habitans* of this Cape and River by the servants of the late Mr. Armstrong. Deputies to announce to all and sundry that *habitans* who have muskets or other property belonging to the late Mr.

Armstrong, are to hand them over as soon as possible to Messrs. Handfield and Amhurst, his executors: or else, if property is found in their possession, they will be prosecuted. Annapolis, June 5, 1740.

(signed.)

P. Mascarene.

Memoire pour Monsieur [rest illegible][1] [*305*

1. Must try to get the *habitans* to choose for Deputies, men of good sense, upright, men of property and having the good of the community at heart, and sensible of the duty to which they are bound by their oath of allegiance.

2. Deputies having fixed times for meeting and consultation should act together in the execution of the orders, &c., of the Govt. in the interests of justice and of the good of the community.

3. Deputies in their meetings should make joint reply to the letters of the Govt. addressed to them in common, and propose measures for the common good.

4. They should watch and keep in hand restless spirits who could turn the *habitans* from their duty and lead them contrary to the oath of allegiance, which they have taken to the King; in order that the community may not make itself suspected, and avoid the ruin which may overtake it in such a case.

5. Deputies to see to their duty in regard to the regulations for keeping up the fences (? Bouchures): and those who have unruly cattle must not let them stray into their neighbours' property.

6. Deputies to concert measures for the upkeep and improvement of bridges and highways, and particularly that which runs from Minas up this river, the half which is on this side as the more difficult, being more than the proportion of the *habitans* of this side.

7. An account to be given of the mills built in the time of the old seigneurs, the dues that they should pay, those that

1. Marginal note: "Omitted to be entered in his proper place, fo. 304.

have been built without leave and since the King has been in possession of the seignory, in order that those who have transgressed may compound and the King get his rights.

8. Mr. Bellhumeur will ascertain the value of the land which belongs to Joseph Dugas and since escheated to the Crown, or what it might be worth if farmed out; and give his opinion.

9. He will also inform himself if there is any *habitan* of good standing who would like to farm the King's rents and annual dues for the districts of Minas and Cobequid, and what should be given per annum; in order that it may be decided, upon the advice which he may give, if it is to the King's interest to farm it as a whole rather than [paper decayed]

Annapolis, May 27, 1740.

(signed.)
Paul Mascarene.

Commission of Baptiste Maufils. [*306*

Preamble refers to M.'s appointment by Armstrong, dated Dec. 28, 1737; commission states that M. should assist only F. Mangeant, Receiver of the King's Rents, who is out of the province. M. not only to continue in his employ as constable, in conformity with the proclamation of March 24, "last," but to be aiding and assisting the Deputies and all others employed by Govt. in that part of the province, in the lawful execution of their said office: and as the case may at any time require, to command in the King's name his subjects residing in these parts to give their assistance for the preservation of the peace and the promotion of H. M. service.

Annapolis, June, 1740.

(signed.)
P: Mascarene.

Proclamation Regarding Romish Priests. [*307*

Preamble states that several missionary priests have "Encroached Upon the Allowance Given to the French

Inhabitants" of this province, of the free exercise of their religion guaranteed by the fourteenth article of the Treaty of Utrecht: and that several irregularities have been and may be further committed by the said Missionary Priests. Gov.-in-Council think good to publish Art. 14. Quoted complete. The part of the Romish religion which is not allowed in Great Britain cannot be exercised here. Some of the priests "have taken upon themselves to Pronounce & may think themselves Authorized to Pronounce Excommunications Whereby to Deprive His Majesty's Subjects or Others under the Protection of this Government of all Manner of Assistance or means To Procure their Livelyhood." No Romish ecclesiastical jurisdiction can be exercised in this province; but all crimes of whatever nature can be punished only in H. M. courts. All missionary and other priests are forbidden by this proclamation to "Presume to Pronounce Or Cause to be Pronounced or Published any such Excommunication."

Annapolis, July 3, 1740.

(signed.)

P: Mascarene.

Proclamation to Protect Crown Lands. [*308*

Certain *habitans* of this River have asked leave to winter on the coast, "in Order to Procure a Livelyhood for themselves and familys." Crown Lands there already occupied and about to be occupied by others before any answer can be given to their petition. These proceedings directly contrary to previous orders frequently published. Petitioners and all others forbidden to possess themselves of said lands "or to make any work or Improvement Thereupon Before Proper leave is first Granted."

Annapolis, July 12, 1740.

(unsigned by Mascarene.)

Certificate of Having Taken the Oath [*309*

Addressed to all officers civil and military. Charles Dentremont, Joseph Dentremont, Peter Landry, Francis Villette,

Réné Landry, Charles Meuse, Francis Meuse and James Amiraux, inhabitants of Pobumcoup have taken the oath of allegiance and "hitherto Behaved Themselves Loyally Like Good Subjects and on all Occasions been Ready to Assist the promotion of his Majesty's Service by their Obedience"; and are therefore British subjects under the fourth article of the Treaty of Utrecht. All civil and military officers are to accord them protection.

(signed)
P. Mascarene.

"N. B. That one of The Same Tenor & Date Was Given to James & Peter Molaisons with Their Names Inserted They having Taken the Oath to his Majesty."

Order for Division of Lands. [*400*

To A. Bourg, notary at Minas. Francis LeBlanc and Réné Landry have complained to H. M. Council against Anthony Landry, Anthony Depuis and James LeBlanc, in relation to lands at River Canard. Judgment given by H. M. Council as appears by Minute of Council of July 29, "which the Partys will give you to be Kept in Your Office." Land in question is to be divided by arbitrators mentioned in minute, and Bourg is to be arbitrator. B. ordered to make the division and report in writing.
Annapolis, July 29, 1740.

(signed.)
P Mascarene

Order Prohibiting Settlement. [*401*

To Joseph Landry, Dennis Pettitot, Joseph Doucette, James Bertram, Michael Doucette, James Saverne, Peter Doucette, Germain Doucette and all whom it may concern. Their petition of July 7, asking permission to go and winter at Tibogue, with their families, taken into consideration by H. M. Council this day. They have not waited for Council's decision, but in direct opposition to the advice of the President of the Council, "that in the mean time

You might go a fishing in the Usual Manner as you Desired," they have carried their families to Tibogue and there built houses in order to settle, without permission, on Crown land. They are ordered to withdraw, and the usual rights of fishing and fowling for the support of their families will not be debarred.

Annapolis, Aug. 2, 1740.

(signed.)

P. Mascarene.

Permission to Winter. [*402*

To the same. Their submissive petition of yesterday's date has induced H. M. Council to recall their order of the 2nd inst. "From the Circumstances of Your familys and Your Expressing Repentance for Your fault and folly Committed," the Council permits them to winter at Tibogue under the following restrictions, which they have promised in the presence of the Council to observe. They are not to raise dikes on the land, or in any way claim right to it by virtue of this or of any other permission; but to withdraw themselves and families from it, on the first order given.

Annapolis, Aug. 7, 1740.

(signed.)

P: Mascarene.

Order Not to Molest. [*403*

To Peter Benoit ("Bennitt") *et al.*, *habitans* of Pizlquid. Peter Landry of this place has complained "that You . . . . . have a Design to Give Disturbance to him the said Peter Landry And the family of the Deceased Peter forrest in the possession of Some part of their Their Estate Purchased of John Roy and his Wife By Attempting to Stop the Channel and the Water Course of his and Their Mill Which Will Prevent Their Rebuilding The Same." Peter Benoit, Martin Benoit *et al.* are forbidden "any Ways to Attempt That Enterprise" unless they can show that they have right on

their side: "fail not in Complying With These Orders Least You be Cast for Your Contempt and Default"
Annapolis, Aug. 23, 1740.

(signed.)
P. Mascarene

Mascarene to St. Poncy.

As St. P. has resided so long in the province, he cannot be ignorant of its constitution, "considering the free Conversation you have all along entertained with the English," or of the repeated orders and proclamations regulating the calling of missionary priests. He must know that parishes must obtain the Governor's permission at Annapolis, before they can bring in a priest. "It is therefore deemed in you a high Piece of Contempt to go & take Possession of any Parish in any Part of the Province after having had your dismission from hence Obtained a Passport according to your request & your Repeated Protestations and Promises of desire of leaving it, & a Positive order not to Exercise your function in your Journey out of it nor can your Excuses be Reckoned other than evasions to cover an Intent of bringing trouble & Commotion in this Province wch may draw the Ruin of Those Inhabitants who Shall entertain & Support you therein." St. P. is ordered to leave the province and not to exercise his missionary function in any part of it.
Annapolis, Sept. 22, 1740.

(signed.)
P. Mascarene.

Order to Deputies of Chignecto Regarding St. Poncy. [*404*

Preamble rehearses provisions of Art. 14 of the Treaty of Utrecht; *habitans* free to exercise their religion subject to the laws of G. B. "Notwithstanding the Rules and Methods frequently Prescribed & Published for their obtaining of Priests to Reside amongst them Several of their Districts or Parishes & Particularly that of Chiconecto have in contempt of all Said orders Applyd for Priests otherways than Directed & Receiv'd & Entertaind them." Government has certain

knowledge and information of St. P.'s return from Louisbourg to Chignecto. Habitans of Chignecto and all others are "Strictly & Expressly orderd & Commanded" not to receive or harbour St. P.; nor permit him the use of "your Church." They are not to attend him in the exercise of his priestly office: but to cause him to quit the province, according to the enclosed order which they are to deliver to him, "& which you are expressly ordered to Comply with & to See duly Executed without any Evasion or Mental Reservation as you will answer at your Peril & Least the Consequence of your too often Repeated Disobedience a True Mark of Disrespect draw upon you & Such others who have or may act in the like Manner Signal Marks of his Majesty's high Displeasure." This to be published in the most authentic manner so that none may pretend ignorance. After the election of Deputies on Oct. 11 next, two of them at least (one old and one new) are to come to Annapolis with the names of all the Deputies.

Annapolis, Sept. 22, 1740 (signed.)

P. Mascarene.

"Thus far the Orders that Were judged Necess^ry are Sent home."

Mascarene to the Deputies of Minas.

Bergeau has reported that several of the *habitans* have been very backward in paying the seignorial rents of the King, and some have absolutely refused to do so. Deputies hereby ordered to give all necessary assistance to Bergeau in the execution of his office. Sends order of last Spring regarding the settlers on Crown lands.

Annapolis, Oct. 20, 1740.

(signed.)

P. Mascarene.

Order for Building a Bridge. [*406*

Deputies "of This River" and others have represented the passage from the south side the river up is much obstructed

and impeded for want of a bridge "Over the Sawmill Crick[1]." Deputies are ordered, pursuant to several minutes of Council in regard to highways, to summon the *habitans* south the river, who will be most benefited by such a bridge "to be Helping and Assisting to those of the Districts Adjacent in Getting the Requisite Materialls and Laying this Bridge Over the said Crick that the Passage may be free and Easy." Fail not to perform this public duty under penalty of the fine provided in such cases.

Annapolis, Oct. 20, 1740.

(signed.)

P. Mascarene.

Instructions to Alex. Boury as Receiver of Rents at Minas[*407*

Preamble refers to the necessity of appointing rent-gatherers, "to prevent Such as may be Evilly Inclined Amongst them from Diminishing any Part Thereof by fraudulent Practices": mentions B.'s good standing and long experience in these affairs "and the Other Customs practised formerly by The Seigneurs Amongst the said Inhabitants in Such cases." B. nominated and appointed "Collector & Receiver of all His Majesty's Quit Rents, Dues or Revenues that are or may be Annually or Casually Ariseing and Becoming Due of, from & Amongst the Inhabitants of Mines Pizaquet & Cobaquit to his Majesty as Seignior or Lord of the Manor & Rivers & Settlements Thereon Depending." B. is to perform the duties faithfully and diligently, receiving fifteen per cent. for his trouble, as has been the custom; and to keep a distinct and exact rent-roll "Which You are to form from The Respective Contracts Appertaining to Their Owners." He is to keep a just account of what he receives, to be rendered to the Gov. or Commander-in-chief, a particular account of the fines of alienation, taking care that no frauds are committed by means of clandestine agreements. "You are to observe That the Rents for Mills & all Hommages and Services formerly Due & paid by them" payable to the most Christian King or their former seigneurs, are now payable to the King of

1. This word is so spelled consistently three times in the document, indicating the pronunciation.

England: must be collected and accounted for annually. He must also prevent unauthorized settlements on Crown lands. Deputies to aid and assist him.

Annapolis, Dec. 30, 1740. (signed.)

P. Mascarene.

Certificate of Nicholas Vauquelin, Missionary Priest. [*409*

Certifies that Mr. Nicholas Vauquelin, priest and Bachelor of Theology "in the Communion of The Church of Rome who has for the Space of Abovt Two Years Officiated By the Approbation of this Gover.t In Quality of Missionary Preist" at Annapolis, "and has Behaved in Regard to his Moralls And Innocent way of Liveing With a Gennerall Good Testimony As Well in Regard to his Good Deportment Towards this Goverment," has applied for leave of absence till next Spring. Has promised not to settle elsewhere in the province, nor to exercise his function except when called upon to aid the sick; intends to "pass this Winter in Solitude and Retirement." All H. M. subjects requested not to offer him any molestation during the winter, at the expiration of which he has full liberty to proceed to any part of His Most Christian Majesty's dominions.

Annapolis, Nov. 4, 1741.

(signed.)

P. Mascarene.

Proclamation to Deputies.

Preamble notes that "Some Obstinate People" in this province have not complied with the sentences and judgments of the Government. Deputies ordered in such cases "to use their Utmost Diligence and Endeavours in haveing the Said Sentences and Orders put in Execution." Notary is to attend, and such of the inhabitants as they shall want for their assistance; who are "to be Aiding and Assisting to the Deputys" on pain of being reckoned disobedient.

Annapolis, Dec. 8, 1741.

(signed.)

P. Mascarene.

"God Save The King"

[End of MS. 20]

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